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THE WITCHING HOUR

A Drama in Four Acts

BY

AUGUSTUS THOMAS

Revised 1916 by AUGUSTUS THOMAS

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Act of March 4, 1909.

PREFACE.

"The Witching Hour" was played and had run its full consecutive course upon the stage, and had settled into the occasional presentation by local stock companies before it was put into print; and when printed it was given to the reading public without author's or publisher's comment. It is only with this edition by Samuel French addressed to amateur players and students that a preface has been considered desirable; and even here its pertinence would not be evident except as one of a number of prefaces intended collectively to set forth in rather haphazard fashion some illustrations of the problems that come to a dramatist, and his individual manner of solving them.* The whole enterprise is prompted by the fact that in some college classes some plays of mine among others, are discussed educationally; it may be no less as examples of what to avoid than as models of what, in part, to repeat; but in either case an author's own ideas and intentions may be informing.

In a discussion of this play, as of all plays of theme rather than of situation, clearness may be attained by considering subject and treatment separately; and economy of attention would suggest considering the subject first.

Apparently in all ages there have been an apprehension and evidence of some force by which one mind acted upon another without communication by the known physical senses. This force, vaguely felt and undefined, has been variously designated as magic, imagination, mesmerism, witchcraft, sorcery, voodooism, clairvoyance, charm, enchantment and

*In Mizzoura; Mrs. Leffingwell's Boots; Oliver Goldsmith; The Harvest Moon; The Other Girl.

the like; and has had its professors and practitioners of varying degrees of knowledge and proficiency from scientist to fakir. And it has had its deniers and its denouncers.

About the year 1882 F. W. H. Meyers, convinced of the existence and character of the force called it "telepathy"; Oliver Wendel Holmes, years before, had written of some personal telepathic experiences and coined the word "cerebricity" to describe the force; and Mark Twain afterwards furnished two serious papers to recount his own experiences in telepathy. Such scientists as Professor M. F. Barrett, Henry Sidgwick, Sir Oliver Lodge, Sir W. Crooks, Dr. Pierre Janet, Professors Dessoir and Flournoy conducted extended series of experiments in the study of the subject; Andrew Lang adapted the French phrase *télépathie à trois* to describe the transmission to a first person through a second one of some bit of knowledge that might be only in the possession of a third person.

Dr. Thomas Hudson, convinced of telepathy and *télépathie à trois* as well, wrote a treatise explaining by the telepathic hypothesis all alleged spiritistic communication. The Society of Psychical Research in England, and the associated society of the same name in America, filled volumes with the records of experiments in telepathy; and the principal psychologists of the world treated it as an established fact.

This cumulative testimony is recalled to bolster my own interest in the subject; and in order that I may add somewhat of my own observation; and I do so because successful plays are seldom written upon themes that have been merely intellectually adopted: the drama is dependent upon emotional appeal and even the thematic side of a play to be effective should be founded upon a real belief.

In the year 1888 I was the publicity man for the thought-reader, Washington Irving Bishop; and had

a fairly intimate association with Bishop, and a considerable knowledge of him. Bishop was a showman and it is possible that some of his work had in it elements of fraud; but the fraud, if it existed, was never discoverable by me, nor, to my knowledge, was it ever finally charged by an investigator. Bishop's program consisted of the usual so-called thought reader exhibitions, such as finding, while blind folded, hidden articles; playing melodies mentally suggested by other persons; locating some chosen word in a large library of books; driving blind-folded a team of horses through the city streets, etc. The public is familiar with these exhibitions and the so-called physical and muscle reading explanations of them. I wish to report in detail only one performance not of a general public character and not explicable on the muscle-reading theory: One morning in the city of Minneapolis, in the parlor of the West Hotel, a committee of fifty professional men was in session. These men, in about equal numbers, were physicians, lawyers and clergymen. They had been invited by letters addressed by me from public lists and without conferences. Nearly all of them knew of Bishop through the telegraphed reports of his work in New York, recently run as first-page stories; none of them knew him personally. It was the first day of Bishop's first visit to the city; a sub-committee of five had gone in a carriage to a distant point in the city to hide an article which Bishop was to find: during their absence he had one of the remaining committeemen get a map of the city and this was spread out and pinned to the wall. When the sub-committee returned they were asked to stand behind him, without contact, and mentally to locate on the city map the square corresponding to the place to which they had driven. Bishop, with his back to them, faced the map, and after a moment's hesita-

tion, marked the spot where the article was hidden and where, in his blindfold drive immediately afterwards, he found it. This latter performance was followed by a cataleptic fit lasting several hours; and the doctors' warning that an attempted repetition of the work might prove fatal, which, a few weeks later, was the case.

Bishop's own explanation of his ability to do these things was that he did them under auto-hypnosis.

In the years that followed his death, a sustained interest in telepathy led me to read all that I could find authoritatively printed on the subject and to make or to see such experiments as were afforded by the occasional meeting with professionals or amateurs who possessed telepathic sensibility or power. Some of these experiments were with persons under external hypnotic control, but often with those working independently there was noticeable a condition recalling that of Bishop, and suggesting a measure of self-induced hypnosis. From this fact, the questions of telepathy and hypnotism came to be, not necessarily, but permissibly associated in my mind and therefore concurrently presented when the play was planned.

There is a maxim in the theatre that no material is useful for a play until it has been used as subject-matter for all other literary forms, and made familiar to the public through poetry, fiction, lectures and repertorial and editorial comment. A one-act play on the subject was written by me for Mr. Palmer in 1890, when he wanted a short piece for Agnes Booth and James H. Stoddart; and although both those veteran artists were anxious to try the play, Mr. Palmer was no doubt right in his belief that the subject was too foreign to the thinking of the general public.

When the discussion of telepathy by both scientists and laymen had gone on for some sixteen years

after Mr. Palmer's decision, the interest in telepathy and more especially the personal responsibility that its existence implied for all conscious thinkers stimulated me to the making of the four-act play that follows. On its presentation, there was some discussion and more than a few personal inquiries as to whether the play was a bit of mere sensationalism or a true expression of the author's belief. Because of such sincerity as the occasion of their utterance implied, the following lines from a short speech made in response to the curtain-calls on the first night of the play in New York were usually included in the replies to such inquiries:

"The members of a large part of the community with whom I am in sympathy have long been accustomed to regard their private minds as parks in which there might be neither prohibition nor policemen; but if, as scientists assert, a malignant and destructive thought of mine, like a circling Marconigram, affects, first my family, then friends, then acquaintances, before it finally filters impotently to its finish, I want to know it; and if, after twenty years of fairly intelligent investigation, I believe that it is so, I feel it my duty as a dramatist to state it."

THE MAKING OF THE PLAY.

In the season of 1890, Mr. Dion Boucicault resigned, and I acquired, the rather high-sounding title of "dramatist extraordinary" for Mr. Palmer's Madison Square stock Company; and when I could forget the title, I thought about writing plays. One day, Mrs. Booth and Mr. Stoddart asked for a one-act play; and I immediately cast about for a subject that would give those two players each an adequate opportunity.

Mrs. Booth was no longer young; and Mr. Stoddart was nearly seventy years old: Mrs. Booth's latest successes had been in playing mothers; and Mr. Stoddart had just made a hit as a magistrate. I had recently reported a murder trial in St. Louis, wherein the attorneys for the defense had tried to take their case to the Supreme Court at Washington on the constitutional point, that the accused had been denied an open trial, by the fact of the sheriff restricting the number of spectators to those holding tickets of admission. This Constitutional point, and Mr. Stoddart's venerable appearance, and Mrs. Booth's pathos as a mother, were the high lights that suggested the mother in person making the appeal to the judge in person; and this enforced the story of a son, apparently guilty, but morally innocent. The reverberation of the Bishop telepathic experiences invited a bond of that kind between the Justice and the mother; and a recent reading of Bret Harte's poem quoted in Act II of the present play offered a point of contact between the ordinary reading public and the esoteric group interested in telepathy. The

result was a one-act play which, with the exception of the Brookfield and the Viola elements introduced later, was substantially Act II of the present drama; and was the little sketch, written quickly for Mrs. Booth and Mr. Stoddart, and as quickly declined by Mr. Palmer.

About that time, Mr. Henry Loomis Nelson, my neighbor at New Rochelle, showed me a letter from Mark Twain, refusing to write a short story for Harper's because Mark Twain had found "that a short story was a novel in the cradle which, if taken out occasionally and fondled, would grow into a full-sized book." Partly on that hint, my one-act play was occasionally taken from its cradle and caressed.

During several years, with the increasing public interest in telepathy and additional information, the cradle playlet grew, in plan at least, into a four-act play. Before wasting time on its actual writing, however, I accepted a chance to have the one-act piece played to a private audience of some two hundred men in the Lamb's Club; and as the little play contained what was most diaphanous and attenuated in the whole story, if such an audience, entirely lacking the feminine element, would accept the fable, the remainder of the venture would be up to the skill of the dramatist.

While a one-act play, undoubtedly a four-act drama in the cradle, is still in petto, it is permitted some of the cradle gelatinous characteristics; but when the growth is attained, it is expected to have a developed backbone, and substantially articulated members. Instead of being perhaps a mere suggestive cross-section of a story, it must have a beginning, a middle and an end; and the dramatist's injunction of "don't tell it—do it," becomes inflexibly operative. To merely *report* the murder and *describe* the prisoner is not enough; the audience must see the occurrence and must know the individual: also, it

must know him *enough* to be interested in him; and know him in a *way* that will make them like him. That his mother loves him is not sufficient for the longer story, as it is for the shorter one, where the mother is so much more the dominant factor.

As Auditors, our interest in the boy is thus far through the mother; but to make the interest deeper, it is best to give him a sweetheart, who shall also suffer through his trouble; and by our sympathy for her give us an additional emotional stir.

Again, every force in the theatre is unconvincing until it is personified; therefore we must carry through the play a representative of that civic law that is opposed to our boy. This representative is our prosecuting attorney. As an officer of the law his opposition to a criminal is logically enough; but it is stronger when the personal equation also comes into play: this rule invites us to make our exponent of civic law not only a prosecuting attorney but a rival for the boy's sweetheart.

As I have said, the one-act play was practically Act II of the four-act version; and as far as the story goes contained all that is there now: that is, it had the story and besides the story, the mystery of coincidence and the hint of telepathic communication. If the story was to expand into four acts, these hints and gropings must take on a firmer fiber along with the structural strength of the story: in addition to theory, there must be some substanial and tangible performances; telepathy must *do something;* hypnotism must *dominate* some important situation. This something to be done, and this situation to be dominated, must be devised by the dramatist.

It wasn't the work of a moment; with my mind on the characters of the little play and the tentative additions of boy, and sweetheart, and prosecuting rival, I went round this nucleus, at times, like a cooper round a barrel; and again like a blind horse round

the mill-stone. I emphasize that fact, not to ask sympathy for a task that is always fascinating and filled with compensations; but to remind the younger writers that as Emerson says: "The oracle speaks because we have laid siege to the shrine."

In mentally considering possible telepathic attempts and accomplishments, there gradually dawned, and increasingly bore in upon my consciousness, the moral side of the question. If anyone's *thinking* could affect the *thoughts* of another, what a responsibility for the thinker! And how dare to exploit this force in the theatre and blink that side of it? How make a drama in which that power was to be consciously exerted and ignore the morals of it? And, on the other hand, how admit, recognize, touch and manipulate that phase of it and not make a preachy play that the public would flee? It presented almost an *impasse*—but one that piqued and generated the force for its own removal.

My cogitations ran somewhat in this line:

If the civic law required to be personified, this force of telepathy required personification no less: The character of the old Justice in the little play lent himself readily as this latter exponent. Now, as the civic law's representative would have his *dramatic opposition* in the boy hero, the Justice representing telepathy needed likewise an opponent on whom he might work. A desire for economy lost considerable time trying to adjust the attorney to this rôle also.

And then the requirements slowly seemed to demand that this opponent should be one who, when convinced, would be thereby improved or reformed—and to be made better, he must start bad, or, at any rate, only negatively good—and perhaps he should be a person who had misused this mental influence, if only unconsciously. A dreamy ramble through the trades and professions in search of him found the grass tied when the path of the imagination reached

"Gamblers"; then there was one of those associative stumbles that, as far as I know, hook-up the assembling of every play; and Mr. Canfield, the art-loving gambler of New York and the sunset picture by Rosseau, which was already a "property" in the little play, flowed together and I had an idea of Jack Brookfield.

The one-act play already placed the boy and his trial in Kentucky; and the sporting inclinations of Louisville offered continued hospitality to the story's added items. The new character of Brookfield absorbed my attention. I built him up physically, mentally and morally—or, rather, he built himself up. He lived in a most attractive dwelling; he was soft spoken, reticent, and awfully determined; he was educated and refined. Of course, his pictures prompted much of that—he owned quite a gallery of them by this time; and I liked him. Quite against my better judgment, I admired him. I introduced him to Helen; and found that they were old sweethearts—that was one of the things Brookfield had been keeping from me all the time. He and Justice Prentice began to talk pictures as soon as they saw each other. I expected that the prosecuting attorney and he would quarrel, but they didn't; they were quite friendly. I saw that the attorney had spent considerable time in Brookfield's place; and that Brookfield was always the finer, the deeper, the superior man. The "niggers", the old darky body-servant and the fresh young hall-boy—came in with drinks and terrapin and messages. Real Southern gentlemen were there—more than I needed, in fact more than any dramatist could afford to have about.

That's the way with a play; you dig, and lift, and build, and ponder and suddenly the attraction of gravitation seems overcome; and the things and the people float, and flow, and drift, until you coax and shepherd them into the orderly walks and divisions

that you've laid out for them, and which you call scenes and acts.

Colonel Watterson, in an after-dinner talk when the Witching Hour was playing, said derisively: "Think of a Louisville gambler owning a Corot—and think of a Justice of the Supreme Court on that account, or any other, visiting his den and consorting with him. Preposterous! What does this author ask us to accept? And yet," he continued "it happened. One of the most cultivated men of Louisville a generation ago was Mr. Eli Marks, a professional gambler with a luxuriously fitted house such as Mr. Thomas gives Brookfield; a house filled tastefully with rare pictures and rare books; and I have on more than one occasion been in his delightful place in the company of a Justice of the Supreme Court of the United States. Mr. Thomas didn't know Eli Marks—that was before his time. I'm sure he never heard of him. He could only have got this combination of refined gambler—rare picture—Louisville and a Supreme Justice, from me telepathically."

With the discovery of Brookfield, things everywhere began to click and drop into place; the murder had been committed in his house; the fat-headed young rowdy who was killed was one of his patrons; the boy hero was a young architect and decorator who had "done over" the house; Brookfield had given him the job because he knew the mother; the boy's sweetheart was Brookfield's niece; Brookfield began to arrange himself on the side of the boy and against the attorney before the murder, and on this earlier question of the sweetheart niece. Brookfield, almost my last acquaintance in the case, was the whole story. The telepathic power was his; explained and made clear by the Justice. Think of a telepathic gambler, a fellow that knew what the other fellow held but believed his knowledge was only good guess-work. Then that

quiet, dominant way of his—fitting in so comfortably with all that we know about hypnotism.

Of course, Brookfield was there all the time, waiting to be deduced, calculated and discovered like the planet Neptune.

And it so happens with most play-building: the various difficulties seem to point to a general center; seem to call for some facts or figures of extrication that more and more, as we go round them condense to a single happening or personage; and suddenly that solvent takes on a principal importance; and our whole fabric is to be revised and adjusted to the newly-found situation or man.

But Brookfield and his magic were to much of a discovery; it was all too smooth; no public would accept it; it was just another of those dreams which aren't any truer for the playwright than for any other when the dreamer wakes. Too bad! A gold mine to be abandoned because of an embarrassment of nuggets! That is another stopping place in play building, like the three-quarter mark depression of author and actors that comes during play rehearsals.

Couldn't something be found to still the foreseen objections of the public? Couldn't the press-agent stand up in the private box and present a few arguments? And then this discovery or rather rediscovery: The public at the play where there must be contest is always itself a third point of a triangle. Why not give the public a representative in the cast of characters—a person who should doubt and disbelieve and deny to the very finish? Of course! And in that setting, to doubt and to deny would be to be comic; but standing for the public, our representative must be made good-hearted and likable and so, last of all, Lew Ellinger was invented, or, at least, he stepped out from that convivial chafing-dish group around Brookfield.

In the early part of the drama, Ellinger was some-

what in the way, but when he couldn't be conveniently put into a scene, his business of doubt and denial was given temporarily to someone else and his own best work reserved until most needed, which is when Brookfield, informed and converted, turns about and begins to array himself on the side of the theories and against our hard-headed and sane incredulity.

There are the bones of the play and somewhat of the manner of their putting together. It would be only to write the play ovr again, to report, if it were possible, the multiplication of incident and cross-reference that make the articulation, tissue and complexion for it, as they do for every play. This much, however, is offered in the belief that something in it may be helpfully suggestive to less experienced though more promising journeymen working somewhere in the same familiar but uncertain stuff.

Augustus Thomas.

THE WITCHING HOUR.

Original company in Mr. Shubert's production
AT THE HACKETT THEATRE NEW YORK
Nov. 18, 1907
In order of their appearance

JO	*S. E. Hines*
JACK BROOKFIELD	*John Mason*
TOM DENNING	*Freeman Barnes*
HARVEY	*T. P. Jackson*
MRS. ALICE CAMPBELL	*Ethel Winthrop*
MRS. HELEN WHIPPLE	*Jennie A. Eustace*
VIOLA	*Adelaide Nowak*
CLAY WHIPPLE	*Morgan Coman*
FRANK HARDMUTH	*George Nash*
LEW ELLINGER	*William Sampson*
JUSTICE PRENTICE	*Russ Whytal*
JUSTICE HENDERSON	*E. J. Walton*
SERVANT	*W. Butterfield*
COLONEL BAYLEY	*Harry Hadfield*
MR. EMMETT	*Mr. Fawnsgaines*

THE WITCHING HOUR

ACT I.

SCENE:—*The library and card-room at* "JACK BROOKFIELD'S," *Louisville.*

There is a large doorway center, at the back, that lets into a hallway, in which the bannister of a stairway that descends to the street level is seen. A second and smaller doorway is near the front in the wall to the left of the stage. This doorway leads to the dining-room. The second plan of the left wall is occupied by a fireplace and mantel, surmounted by a marine painting. The fireplace is surrounded by a garde au feu *club seat.*

The rest of the left wall, as well as the rear wall on both sides of the center door and all of the right wall, is fitted with bookcases about five feet high, in which are books handsomely bound.

The walls above these bookcases are hung with heavy brocaded Genoese velvet of a deep maroon in color and loosely draped. The ceiling is of hard wood, gilded. On the wall velvet, at proper intervals, are paintings by celebrated modern artists. Some of these paintings are fitted with hooded electric lights. Such a fitting is above a noticeable Corot, which hangs to the right of the center door.

A dark-red rug of luxuriant thickness is on the floor. The furniture is simple, massive, and Colonial in type. It consists of a heavy sofa

above the fireplace and running at right angles to the wall. A heavy table fitted with books is in the center; a smaller table for cards is at the stage, right. Chairs are at both tables.

Above the center door is a marble bust of Minerva, surmounted by a bronze raven, lacquered black, evidently illustrating Poe's poem. The Antommarchi death-mask of Napoleon in bronze hangs on the dark wood fireplace. A bronze mask of Beethoven is on one of the bookcases and on another is a bust of Dante. A bronze Sphinx is on another bookcase.

The room is lighted by a standing lamp at the back and by the glow from the fireplace. Over the table, center, is suspended an electric lamp in a large bronze shade. This lamp, while not lighted, is capable of being turned on by a push button, which depends from it.

On the table, center, is a large paper-cutter made of an ivory tusk.

Empty stage. After pause, sound of laughter and dishes, left.

(*Enter* Jo, *sleek negro of Pullman car variety, by stairway and center door. He goes to door, left, and pauses—laughter ceases.*)

Jo. Massar Brookfield.

JACK (*outside left*). Well, Jo?

Jo. Mr. Denning, sah.

JACK. Ask Mr. Denning to come up.

Jo. Yes, sah. (*Exit center. More talk and laughter, left.*)

(JACK *enters left. He walks to center on way toward main door. Pauses. Returns, left.*)

JACK (*at door left*). Lew! I say—Lew—you ladies excuse Mr. Ellinger a moment?

HELEN, ALICE, VIOLA (*outside*). Oh—yes, certainly.

(*Enter* LEW ELLINGER, *from dining-room, left.*)

LEW. See me?

JACK. Tom Denning's here—he expects a game. My sister and Mrs. Whipple object to the pasteboards—so don't mention it before them.

LEW. Not a word—but, Tom—?

JACK. I'll attend to Tom.

LEW. Good. (*Starts back to dining-room.*)

(*Enter* TOM DENNING, *right center; he is fat, indolent type.*)

TOM. Hello, Lew. (LEW *stops and turns.* JACK *motions him out and* LEW *goes.*) What you got to night? Young Rockefeller?

JACK. Some ladies.

TOM (*grinning*). What——

JACK (*sternly*). My sister and her daughter—and a lady friend of theirs.

TOM (*disappointed*).—No game?

JACK. Not until they go.

TOM (*getting a peek off into dining-room*). Oh—chafing dish.

JACK. They've been to the opera.—I had Harvey brew them some terrapin.

TOM (*complaining*). My luck! (*His hands hang limp.*)

JACK. No, I think there's some left. (*Pause.*) I'm going to take a long chance and introduce you, Tom, only don't say anything about poker before the ladies.

TOM. Thought you said your *sister*—

JACK. I did.

TOM. Well, she's on, isn't she?

JACK. But she doesn't like it—and my niece—my *niece* doesn't like it.

(*Enter* HARVEY, *old negro servant, from dining-room, left.*)

HARVEY. I'se made some coffee, Mars Jack. You have it in the dining-room or heah, sah?

JACK (*going*). I'll ask the ladies.

TOM. How are you, Harvey?

HARVEY (*bowing*). Mars Denning——

JACK (*who has paused at door, left*). Got some terrapin for Mr. Denning, Harvey?

HARVEY. Yas, sah. (*To* TOM.) Yas, sah.

(*Exit* JACK, *left.*)

TOM. They left some of the rum, too, I hope.

HARVEY. Couldn't empty my ice-box in one evening, Mars Denning. (*Starts off. Pause.*) De ladies getting up. (*Stands up stage in front of fire.* TOM *goes right. A pause.*)

(*Enter* JACK.)

JACK. The ladies will have their coffee in here, Harvey.

HARVEY. Yes, sir.

(*Enter* ALICE. *She is smartly gowned and is energetic.*)

JACK. Alice—this is my friend, Mr. Denning—my sister—Mrs. Campbell.

ALICE. Mr. Denning.

(*Enter* HELEN *and* VIOLA. HELEN *is thoroughly*

feminine in type, and is young-looking for the mother of a boy of twenty—VIOLA *is an athletic Kentucky girl.*)

HELEN. I never take coffee even after dinner and at this hour—never!

(*Exit* HARVEY.)

JACK. Mrs. Whipple, may I present Mr. Denning?

HELEN. Mr. Denning.

TOM. Good-evening!

JACK. My niece, Miss Viola Campbell.

TOM. How are you?

(VIOLA *bows.*)

JACK. Mr. Denning's just left the *foundry* and he's very hungry.

TOM. And thirsty——

JACK. (*pushing him toward dining room*). Yes, and thirsty. Uncle Harvey's going to save his life.

TOM. Ha, ha! Excuse me! (*Exit.*)

ALICE. The foundry? (*Sits right of table.*)

JACK. Never did a day's work in his life. That's Tom Denning.

VIOLA (*on sofa at fireplace*). Tom Denning's the name of the big race-horse.

JACK. Yes—he's *named after* the race-horse.

HELEN. (*on sofa, beside* VIOLA). *What* does he do?

JACK. His father—father's in the packing business—Kansas City; this fellow has four men *shoveling* money away from him so he can berathe. (*Starts toward dining-room.*)

ALICE. (*in amused protest*). Oh, Jack!

JACK. Yes—I'm one of them—you'll find cigarettes in that box.

ALICE. Jack! (*Rises.*)

JACK (*apologizing*). Not *you*, Alice, but——

VIOLA (*protesting*). Well, certainly not for *me*, Uncle Jack?

JACK. Of course, not you.——

HELEN. Thank you, Mr. Brookfield!

ALICE (*joining* JACK). My dear brother, you confuse the Kentucky ladies with some of your Eastern friends.

JACK. Careful, Alice. *Helen* lived in the East twenty years, remember.

HELEN. But even my *husband* didn't smoke.

JACK. No?

HELEN. *Never*—in his life——

JACK. In his *life?* Why make such a pessimistic distinction?

(HELEN *turns away right.*)

ALICE. Jack! (*After a look to* HELEN.) How can you say a thing like that?

JACK. *She's* the man's widow—*I've* got to say it if any one does.

(*Enter* HARVEY, *with coffee.*)

Mr. Denning's got his tortoise, Uncle Harvey?

HARVEY (*offering tray to* HELEN). He's got the same as we all had, Mars Jack. Yas, sah. (*Laughs.*)

HELEN. None, thank you.

(HARVEY *moves on.*)

JACK. I'll take it, Uncle Harvey, I think three or four of them'll help this head of mine.

ALICE (*taking coffee*). Why don't you let Viola cure your headache?

VIOLA (*taking coffee*). Yes, Uncle Jack.

JACK. No, the coffee'll fix it, I'm sure.

(*Exit* HARVEY.)

VIOLA. Sit here while you drink it.

JACK. No—no, Viola. It isn't enough for that. I'll conserve your mesmeric endowment for a real occasion. (*Swallows coffee in one mouthful.*)

VIOLA. Goodness! Just to please me?

JACK (*shaking head*). Don't want to spoil your awful stories. (*Exit to dining-room.*)

HELEN. Is Viola a magnetic healer, too? (*Sits right of table.*)

VIOLA. (*Takes a book, and returns to sofa, carrying also the large ivory tusk paper-cutter.*) Oh, no.

ALICE (*sitting left of table.*) Yes—a remarkable one.

VIOLA. Only headaches, Mrs. Whipple. Those I *crush* out of my victims.

HELEN. I remember Jack used to have a wonderful ability that way as a young man.

VIOLA. He says only with the girls.

ALICE. We know better, don't we?

HELEN. Yes.

VIOLA. Well, for myself, I'd rather have Uncle Jack sit by me than any regular physician I ever saw.

HELEN. You mean if you were ill?

VIOLA. Of course.

ALICE. You must be very clear with Mrs. Whipple on that point, Viola, because she used to prefer your Uncle Jack to sit by her, even when she wasn't ill.

HELEN. (*To* VIOLA.) But especially when ill,

my dear. (*To* ALICE) And has he quit it?

ALICE. Yes—you know Jack went into politics for a while.

HELEN. Did he?

ALICE. *Local* politics—yes—something about the police didn't please him and then he quit all of his curative work.

HELEN. Why?

ALICE. Well, in politics, I believe there's something unpleasant about the word "heeler."

HELEN. Oh!

VIOLA. Entirely different spelling, however.

HELEN. Our English language is so elastic in that way.

ALICE. Yes, the papers joked about his magnetic touch. The word "touch" is used offensively also. So Jack dropped the whole business.

HELEN. And Viola inherits the ability?

ALICE. Well, if one can inherit ability from an uncle.

HELEN. From a family.

ALICE. That's even more generous, but Viola is like Jack in every way in which a girl may resemble a man. Horses and boats and every kind of personal risk—and——

VIOLA. (*Rises.*) I'm *proud* of it.

ALICE. And Jack spoils her?

VIOLA. Am I spoiled? (*Goes to back of table.*)

ALICE. He couldn't love her more if he were her father——

(*Enter* CLAY, L., *a boy of twenty.*)

CLAY (*pausing at door*). May I come in?

VIOLA. Certainly.

CLAY. Isn't this a jolly room, mother?

HELEN. Beautiful.

CLAY (*waiving hand above*). And the sleeping

apartments are what I take pride in. Private bath to every bedroom, reading lamps just over the pillows——

VIOLA. Haven't you seen the house, Mrs. Whipple?

HELEN. Not above this floor.

ALICE. Would it interest you? (*Rises and goes left.*)

HELEN. Very much.

ALICE (*at door of dining-room*). Jack——

JACK (*outside*). Yes——

ALICE. (*To* HELEN.) Will I do as your guide?

HELEN (*Rises.*) Oh, yes.

(*Enter* JACK L.)

ALICE. I want to show Helen over the house.

JACK. Do.

ALICE. The rooms are empty?

JACK. Empty, of course.

ALICE. Don't be too indignant, they're not always empty. (*To* HELEN.) In *Jack's* house one is liable to find a belated pilgrim in any room.

HELEN (*laughing*). And a lady walking in unannounced would be something of a surprise, wouldn't she?

JACK. Well—two ladies would, certainly.

ALICE. Jack!

JACK. My dear sister—they *would*. Hard lines when the reputation of a man's house isn't respected by his own sister—ha! (*Exit left, with mock indignation.*)

HELEN (*smiling*). The same Jack.

ALICE. Intensified and confirmed! (*Pausing at door.*) Will you come, too, Viola?

VIOLA. No, thank you, mother.

(HELEN *looks at* ALICE. *She and* ALICE *exeunt* L. C.)

CLAY. What was Frank Hardmuth saying to you?

VIOLA. When?

CLAY. At supper—and in the box at the theater, too?

VIOLA. Oh—Frank Hardmuth—nobody pays any attention to him.

CLAY. I thought *you* paid a great deal of attention to what he was saying.

VIOLA. In the same theater party a girl's got to listen—or leave the box.

CLAY. Some persons listen to the opera.

VIOLA. I told him that was what I wanted to do.

CLAY. Was he making love to you, Viola?

VIOLA. I shouldn't call it that.

CLAY. Would anybody else have called it that if they'd overheard it?

VIOLA. I don't think so.

CLAY. Won't you tell me what it was about?

VIOLA. I don't see why you ask.

CLAY. I asked because he seemed so much in earnest—and because *you* seemed so much in earnest.

VIOLA. Well?

CLAY. And Frank Hardmuth's a fellow that'll stand watching. (*Looks off left.*)

VIOLA (*smiling*). He stood a good deal to-night.

CLAY. I mean that he's a clever lawyer and would succeed in making a girl commit herself in some way to *him* before she knew it.

VIOLA. I think that depends more on the way the *girl* feels.

CLAY. Well—I don't want you to listen to Frank Hardmuth under the idea that he's the only chance in Kentucky.

VIOLA. Why, Clay Whipple——

CLAY. You know very well *I've* been courting you myself, Viola, don't you?

VIOLA. You haven't. You've been coming round like a big boy.

CLAY. (*Follows right.*) Have I gone with any other girl—anywhere?

VIOLA. I don't know. (*Sits right.*)

CLAY. And I've spoken to your Uncle Jack about it.

VIOLA. To Uncle Jack?

CLAY. Yes.

VIOLA. (*Rises.*) Nobody told you to speak to Uncle Jack.

CLAY. Mother did.

VIOLA. *Your* mother?

CLAY. Yes. Mother's got regular old-fashioned ideas about boys and young ladies and she said, "if you think Viola *likes* you, the *honorable* thing to do is to speak to her guardian first."

VIOLA. Oh!—you *thought* that, did you?

CLAY. I certainly did.

VIOLA. I can't imagine why.

CLAY. I thought that because you're Jack Brookfield's niece, and nobody of his blood would play a game that isn't fair.

VIOLA. I wish you wouldn't always throw that up to me. (*Goes to sofa.*) 'Tisn't our fault if Uncle Jack's a sporting man. (*Sits.*)

CLAY (*following*). Why, Viola, I was praising him. I think your Uncle Jack the gamest man in Kentucky.

VIOLA. Nor that either. I don't criticise my Uncle Jack, but he's a lot better man than just a fighter or a card-player. I love him for his big heart.

CLAY. So do I. If I'd thought you cared I'd have said you were too much like him at heart to let a fellow come a-courtin' if you meant to refuse him—and that was all that was in my mind when I asked about Frank Hardmuth—and I don't care

what Hardmuth said either, if it wasn't personal that way.

VIOLA. Frank Hardmuth's nothing to me.

CLAY. And he won't be? (*Pause.*) Will he—? (*Pause.*) Say that. Because I'm awfully in love with you.

VIOLA. Are you?

CLAY. You bet I am. Just Tom-fool heels over head in love with you.

VIOLA. You never said so.

CLAY. Mother said a boy in an architect's office had better wait till he was a partner—but I can't wait, Viola, if other fellows are pushing me too hard.

VIOLA. (*Rises.*) Uncle Jack says you *are* a regular architect if there ever was one.

CLAY. It's what *you* think that makes the difference to me.

VIOLA. Well, I think—(*Pause.*)—Uncle Jack certainly *knows.*

CLAY. And an architect's just as good as a lawyer.

VIOLA. Every bit.

CLAY. Viola. (*Takes her in his arms.*)

VIOLA. Now—I don't *mind* tellin' you—he was speakin' for himself—Frank Hardmuth.

CLAY. By Jove—on this very night.

VIOLA. Yes.

CLAY. Seems like the Hand of Providence that I was here. Let's sit down. (*They sit.*) You've got confidence in me, haven't you?

VIOLA. Yes—I've always said to mother—Clay Whipple'll make his mark some day—I should say I *had* confidence in you.

CLAY. Huh. (*Laughs.*) Of course the *big* jobs *pay.* Things like insurance buildings—but my heart's in domestic architecture—and if you don't laugh at me, I'll *tell* you something.

VIOLA. Laugh at you—about your work and your ambition! Why, Clay!

CLAY. I do most of the domestic interiors for the firm already—and whenever I plan a second floor or a staircase I can see *you* plain as day walkin' through the rooms—or saying good-night over the banisters.

VIOLA. Really? (CLAY *nods.*) You mean in your mind?

CLAY. No, with my eyes. Domestic architecture's the most poetic work a man can get into outside of *downright* poetry itself.

VIOLA. It must be if you can *see* it all that way.

CLAY. Every room—I can see your short sleeves as you put your hands on the banisters—and sometimes you push up your front hair with the back of your hand that way—(*Brushes his forehead.*)

VIOLA. Oh, this—(*repeats the gesture*)—all girls do that.

CLAY. But not just the same way as you do it. Yes, sir! I can see every little motion *you* make.

VIOLA. Whenever you care to think about me.

CLAY. Bless you, no—that's the trouble of it.

VIOLA. What trouble?

CLAY. The pictures of you—don't come just when I *want* them to come—and they don't go when I want them to go—especially in the dark.

VIOLA. Why, how funny.

CLAY. Sometimes I've had to light the gas in order to go to sleep.

VIOLA. Why, I never heard of anything like that.

CLAY. Well, it happens with me often. I designed this room for your Uncle Jack—but before I put a brush in my color-box I saw this very Genoese velvet and the picture frames in their places—and that Corot right there—I've got kind of a superstition about that picture.

VIOLA. (*Rises.*) A superstition! (*Regards the Corot.*)

CLAY. I said to Jack, have anything else you want on the other walls, but right there I want you to put a Corot that I've seen at a dealer's in New York—and he did it.

VIOLA. Uncle Jack generally has his own way about pictures.

CLAY. I only mean that he approved my taste in the matter—but my idea of this house really started *with*—and grew around that canvas of Corot's.

VIOLA. Then it isn't always *me* that you see?

CLAY. Always you when I think about a real house, you bet—a house for *me*—and you'll be there, won't you? (*Takes her in his arms.*)

VIOLA. Will I?

CLAY. Yes—say, "I will."

VIOLA. I will.

(*Reënter* ALICE *and* HELEN.)

ALICE (*astonished*). Viola!

(VIOLA *goes left.*)

CLAY. I've asked her—mother.

ALICE. Helen, you knew?

HELEN. Yes.

CLAY. (*To* ALICE.) And I asked Jack, too.

ALICE. You mean——

CLAY. We're engaged—if you say it's all right.

ALICE. And you—Viola?

VIOLA. (*nodding*). Yes——

ALICE (*going to chair left of table*). Well, if Jack's been consulted and you *all* know of it—I should make a very hopeless minority.

CLAY. Why any minority?

ALICE. Only the necessary considerations. (*To* HELEN.) Clay's prospects—his youth.

VIOLA. Why, he designs most of the work for his firm now.

CLAY. That is, dwellings.

HELEN. I should advise waiting—myself—until Clay is in the firm—(*To* CLAY.) And I did advise delay in speaking to Viola herself.

CLAY. I'd 'a' waited, mother, only Frank Hardmuth proposed to Viola *to-night!*

ALICE. To-night?

VIOLA. At the opera.

ALICE. One isn't safe anywhere.

CLAY. You wouldn't want *him!* So you do consent, don't you?

ALICE. I think your mother and I should talk it over.

CLAY. Well, it's a thing a fellow doesn't usually ask his mother to arrange, but—(*Pause.*)

VIOLA. You mean privately?

ALICE. Yes.

CLAY. We can go to the billiard room, I suppose?

VIOLA. Come on.

CLAY (*at the center door with* VIOLA). You know, mother—how I feel about it. (*Exit with* VIOLA L. C.)

HELEN. I supposed you had guessed it. (*Sits right of table.*)

ALICE. I had—but when the moment arrives after all, it's such a surprise that a mother can't act naturally.

HELEN. Clay is really very trustworthy for his years.

ALICE. There's only one thing to discuss. I haven't mentioned it because—well, because I've seen so little of you since it began and because the fault is in my own family.

HELEN. Fault?

ALICE. Yes—Jack's fault—(*Pause.*) Clay is playing.

HELEN. You mean——

ALICE. Here with Jack's friends.

HELEN. Clay gambling!

ALICE (*wincing*). I don't quite get used to the word, though we've had a lifetime of it—(*sits left of table*)—gambling.

HELEN. I shouldn't have thought Jack would do that—with *my* boy.

ALICE. Jack hasn't our feminine viewpoint, Helen—and, besides, Jack is calloused to it.

HELEN. You should have talked to Jack yourself.

ALICE. Talked to him? I did much more—that is, as much more as a sister dependent on a brother for support could do. You know Jack really *built* this place for me and Viola.

HELEN. I'd thought so—yes.

ALICE. Viola is the very core of Jack's heart—well, we both left the house and went into our little apartment and are there now. A woman can't do much more than that and still take her living from a man, can she?

HELEN. No——

ALICE. And it hurt him—hurt him past any idea.

HELEN. You did that because my Clay was—was playing here?

ALICE. Not entirely Clay—everybody! (*Pause—a distant burst of laughter comes from the men in the dining-room.*) There isn't a better-hearted man nor an abler one in the State than Jack Brookfield, but I had my daughter to consider. There were two nights under our last city government when nothing but the influence of Frank Hardmuth kept the police from coming to this house and arresting everybody—think of it.

HELEN. Dreadful——

ALICE. Now, that's something, Helen, that I wouldn't tell a soul but you. *Viola* doesn't know it—but Jack's card-playing came between you and him years ago and you—*may* know it. (*Rises and looks toward dining-room.*) You may even have some influence with Jack.

HELEN. I—ah, no.

ALICE. Yes—this supper to-night was Jack's idea for you. The box at the opera for you.

HELEN. Why, Jack didn't even sit with us.

ALICE. Also—for you—Jack Brookfield is a more notable character in Louisville to-day than he was twenty-two years ago. His company would have made you the subject of unpleasant comment. That's why he left us alone in the box.

HELEN. Isn't it a pity—a terrible pity! (*Laughter off left.* HELEN *rises.*)

(*Enter* HARDMUTH, JACK, DENNING, *and* LEW. HARDMUTH *is the aggressive prosecutor.*)

HARDMUTH. I tell the gentlemen we've left the ladies to themselves long enough, Mrs. Campbell.

ALICE. *Quite* long enough, Mr. Hardmuth.

DENNING. Where's the young lady? Jack's niece?

HELEN. In the billiard room, I believe.

DENNING. (*To* HELEN, *disappointed.*) Oh—Jack's been telling us what a great girl she is.

HARDMUTH. Some of us knew that without being told.

DENNING. And she's wonderfully like you—wonderfully.

HELEN. You compliment me——

JACK. Are you under the impression you're speaking to Viola's mother?

DENNING. Ain't I?

JACK. This lady is Mrs. Whipple.

DENNING. Oh, Clay's mother? (HELEN *bows.*) Well, your boy, Mrs. Whipple, plays in the hardest luck of all the people I ever sat next to.

HELEN. You mean——

JACK (*interrupting and putting his arm about* DENNING). You depreciate yourself, Tom. There's no hard luck in merely sitting next to you.

DENNING. Ha, ha.

HELEN. (*To* ALICE.) I think Clay and I should be going.

JACK (*consulting his watch*). Oh, no—only a little after twelve and no one ever goes to sleep here before two. (*To* DENNING.) I told you to keep still about card games.

DENNING. I meant unlucky at billiards. *They're* all right, ain't they?

JACK. Oh—(*Walks away impatiently.*)

DENNING. Let's go and see the young lady play billiards with Clay. (*To* ALICE.) I can see now your daughter resembles you. (*Moves up with* ALICE *toward door.* LEW *follows.*)

JACK. Shall we join them?

HELEN. I'd like it.

(JACK *and* HELEN *start up.*)

HARDMUTH. Jack! Just a minute.

JACK. (*To* HELEN.) Excuse me——

DENNING. (*To* ALICE *as they go.*) No, Kansas City's my *home,* but I don't live there. (*Exit with* ALICE.)

JACK. Be right in, Lew. (*Exit* HELEN *with* LEW.) Well, Frank——

HARDMUTH. I took advantage of your hospitality, old man, to-night.

JACK. Advantage?

HARDMUTH. Yes—I've been talking to your niece.

JACK. Oh!

HARDMUTH. Proposed to her.
JACK. Yes——
HARDMUTH. Yes——

(*Enter* Jo *from downstairs.*)

Jo. A gentleman called you on the telephone, sah.
JACK. (*Regarding watch*) Who?
Jo. Judge Brennus—name sounds like. Holdin' the wire, sah.
JACK. I don't know any Judge Brennus.
Jo. Says you don't know him, sah, but he's got to leave town in the mornin' and he'd be very much obliged if you'd see him to-night.
JACK. Did you tell him we were dark to-night?
Jo. He didn't want no game. It's about a picture—a picture *you've* got.
JACK. A picture?
Jo. He wants to look at it.

(JACK *looks at* HARDMUTH.)

HARDMUTH. It's a blind.
JACK. (*Consulting watch*) Well, this is a good night to work a blind on me. (*To* Jo) Tell the gentleman I'll be up for half an hour.
Jo. Yes, sah. (*Exit*)
JACK. So you proposed to Viola?
HARDMUTH. Yes. How do you feel about that?
JACK. You know the story of the barkeeper asking the owner, "Is Grady good for a drink?"—"Has he had it?"—"He has."—"He is."
HARDMUTH. Just that way, eh? (JACK *nods*) Well—she hasn't answered me.
JACK. (*Musing*) Mm——
HARDMUTH. And under those conditions, how's Grady's credit with you?

JACK. Well, Frank, on any *ordinary* proposition you're aces with me. You know that.

HARDMUTH (*seated right of table*). But for the girl?

JACK. It's different.

HARDMUTH. Why?

JACK. She's only nineteen—you know.

HARDMUTH. My sister married at eighteen.

JACK. I mean *you're* thirty-five.

HARDMUTH. That's not an unusal difference.

JACK. Not an impossible difference, but I think unusual—and rather unadvisable.

HARDMUTH. That's what *you* think.

JACK. That's what I think.

HARDMUTH. But suppose the lady is willing to give that handicap? (*Pause*—JACK *shrugs his shoulder.*) What then?

JACK. Let's cross that bridge when we come to it.

HARDMUTH. You mean *you'd* still drag a little?

JACK. (*Pause.*) Do you think Viola likes you well enough to say yes?

HARDMUTH. Let's cross *that* bridge when we come to it.

JACK. We have come to that one, Frank. There's another man in the running and I think she like's him.

HARDMUTH. You mean young Whipple? (*Rises, goes to fireplace.*) Well, he took second money in the box party to-night—at the supper table, too. I'll agree to take care of him if you're with *me.*

JACK (*at table, center*). I think he's your biggest opposition.

HARDMUTH. But you. Can I count on *you* in the show-down?

JACK. (*Pause. Sits right of table.*) If Viola didn't care enough for you, Frank, to accept you in spite of everything, I shouldn't try to influence her in your favor.

(*Enter* LEW, *center, from left.*)

LEW. I think a bum game of billiards is about as thin an entertainment for the outsiders as " Who's got the buttom."

HARDMUTH (*meeting* LEW *up left center*). I've got a little business, Lew, with Jack for a minute.

LEW. Well, I can sit in by the bottle, can't I? (*Moves toward dining-room.*)

JACK. Help yourself, Lew.

LEW. Such awful " stage waits " while they chalk their cues. (*Exit left.*)

HARDMUTH. But you wouldn't try to influence her against me.

JACK. (*Pause.*) She's about the closest thing to me there *is*—that niece of mine.

HARDMUTH. (*Pause.*) Well?

JACK. I'd protect her happiness to the limit of my ability.

HARDMUTH. If she likes me—or should come to like me—enough—her—happiness would be with *me,* wouldn't it? (*Sits again.*)

JACK. She might think so.

HARDMUTH. Well?

JACK. But she'd be mistaken. It would be a mistake, old chap.

HARDMUTH. I know twenty men—twelve to fifteen years older than their wives—all happy—wives happy, too.

JACK. 'Tisn't just that.

HARDMUTH. What is it?

JACK. She's a fine girl—that niece of mine—not a blemish.

HARDMUTH. Well——

JACK. I want to see her get the best—the very best—in family—position—character——

HARDMUTH. Anything against the Hardmuths? (JACK *shakes head.*) I'm assistant district attorney—and next trip I'll be *the* district attorney.

JACK. I said character.

HARDMUTH. Character?

JACK. Yes.

HARDMUTH. You mean there's anything against my reputation?

JACK. No—I mean character pure and simple —I mean the moral side of you!

HARDMUTH. Well, by God!

JACK. You see, I'm keeping the *girl* in mind all the time.

HARDMUTH. *My morals!*

JACK. Let's say your moral fiber.

HARDMUTH. (*Rises*) Well, for richness this beats anything I've struck. Jack Brookfield talking to me about my moral fiber! (*Goes toward fire*)

JACK. You asked for it.

HARDMUTH. (*Returns aggressively*) Yes—I did, and now I'm going to ask for the show-down What do you mean by it?

JACK. (*With fateful repression*) I mean—as long as you've called attention to the " richness " of Jack Brookfield talking to you on the subject—that Jack Brookfield is a professional gambler—people get from Jack Brookfield just what he promises—a square game. Do you admit that?

HARDMUTH. I admit that. Go on.

JACK. (*Rises, front of table*) You're the assistant prosecuting attorney for the city of Louisville; the people *don't* get from you just what *you* promised—not by a jugful——

HARDMUTH. I'm the *assistant* prosecuting attorney, remember—I promised to assist in prosecution, not to institute it.

JACK. I expect technical defense, old man, but this was to be a show-down.

HARDMUTH. Let's have it—I ask for particulars.

JACK. Here's one. You *play* here in my house and you know it's against the law that you've sworn to support.

HARDMUTH. I'll support the law whenever it's invoked. Indict me and I'll plead guilty.

JACK. This evasion is what I mean by lack of moral fiber.

HARDMUTH. Perhaps we're a little shy somewhere on mental fiber.

JACK. You make me say it, do you, Frank? Your duty, at least, is to keep secret the information of your office; contrary to that duty you've betrayed the secrets of your office to warn me and other men of this city when their game was in danger from the police.

HARDMUTH. You *throw* that up to me?

JACK. (*Sits on left end of table.*) Throw nothing—you asked for it.

HARDMUTH. I stand by my friends.

JACK. Exactly—and you've taken an oath to stand by the people.

HARDMUTH. Do you know any sure politician that doesn't stand by his friends?

JACK. Not one.

HARDMUTH. Well, there!

JACK. But, I don't know any sure politician that I'd tell my niece to marry.

HARDMUTH. That's a little too fine-haired for me! (*Turns to fire.*)

JACK. I think it is.

HARDMUTH. (*Returns.*) I'll bet you a thousand dollars I'm the next prosecuting attorney of this city.

JACK. I'll take half of that if you can place it. I'll bet even money you're anything in politics that you go after for the next ten years.

HARDMUTH. Then I don't understand your kick.

JACK. But I'll give odds that the time'll come when you're way up there—full of honor and reputation and pride—that somebody'll drop to you, Frank, and flosh! *You* for the down and outs.

HARDMUTH. Rot!

JACK. It's the same in every game in the world —the crook either gets too gay or gets too slow, or both, and the "come on" sees him make the pass. I've been pallbearer for three of the slickest men that ever shuffled a deck in Kentucky—just a little *too* slick, that's all—and they've always got it when it was hardest for the family.

HARDMUTH. So that'll be my finish, will it?

JACK. Sure.

HARDMUTH (*going back of table*). You like the moral fiber of this Whipple kid?

JACK. I don't know. (*Crosses to fireplace.*)

HARDMUTH. Weak as dishwater.

JACK. I don't think so.

HARDMUTH. I'll do him at any game you name.

JACK. He's only a boy—you should.

HARDMUTH. I'll do him at this game.

JACK. What game?

HARDMUTH. The girl! I thought I could count on you because—well, for the very tips you hold against me; but you're only her uncle, old man, after all. (*Swaggers down right.*)

JACK. That's all.

HARDMUTH. And if she says "yes"——

JACK. (*Comes to front of table. Pause. The men confront each other.*) Frank! Some day the truth'll come out—as to who murdered the governor-elect of this State.

HARDMUTH. Is there any doubt about that?

JACK. Isn't there?

HARDMUTH. The man who fired that shot's in jail.

JACK. I don't want my niece mixed up in it.

HARDMUTH (*angrily*). What do you mean by that? (*Enter* HELEN, *center. An awkward pause.*) The young people still playing?

HELEN. Yes.

HARDMUTH. I'll look 'em over. (*Exit.*)

HELEN. Won't you come, too?

JACK. I'd rather stay here with you.

HELEN. That gentleman that called after supper——

JACK. Mr. Denning——

HELEN. Yes. He seems to take pleasure in annoying Clay——

JACK. (*Seriously*). Yes—I know that side of Denning! (*Goes to door of dining-room*) Lew!

LEW. Yes.

JACK. I wish you'd go into the billiard room and look after Tom Denning.

LEW. (*Entering left*) What's he doing?

(JACK *turns to* HELEN.)

HELEN. (*To* JACK) Commenting humorously —hiding the chalk and so on.

LEW. (*As he goes up*) Lit up a little I suppose.

JACK. (*Nodding*) Just " ride herd " on him.

(*Exit* LEW.)

HELEN. (*Going left to sofa*) He doesn't seem much of a gentleman, this Mr. Denning.

JACK. He wasn't expected to-night.

HELEN. Is he one of your " clients "?

JACK. (*Smiling*) One of my *" clients."*

HELEN. Clay meets him here?

JACK. Yes—*has* met him here.

HELEN. I didn't think you'd do that—Jack—with *my* boy.

JACK. Do what?

HELEN. Gamble.

JACK. (*Smiling*) It's no gamble with your boy, Helen—sure thing. He hasn't won a dollar!

HELEN. I'm glad you're able to smile over it.

JACK. Perhaps it would be more humorous to you if he'd won.

HELEN. If he plays—I'd rather see him win, of course.

JACK. (*Beside sofa.*) That's what put me in the *business*—winning. The thing that makes every gambler stick to it is winning occasionally. I've never let your boy get up from the table a dollar to the good and because he *was* your boy.

HELEN. Why let him play at all?

JACK. He'll play somewhere till he gets sick of it—or marries.

HELEN. Will marriage cure it?

JACK. It would have cured me—but you didn't see it that way.

HELEN. You made your choice.

JACK. I asked you to trust me—you wanted some ironclad pledge—well, my dear Helen—that wasn't the best way to handle a fellow of spirit. (*Goes front of table.*)

HELEN. So *you* chose the better way?

JACK. No choice—I stood pat—that's all.

HELEN. And wasted your life.

JACK (*sitting on edge of table*). That depends on how you look at it. You married a doctor who wore himself out in the Philadelphia hospitals. I've had three meals a day—and this place—and—a pretty fat farm and a stable with some good blood in it—and——

HELEN (*coming to him*). And every one of them, Jack, is a monument to the worst side of you.

JACK. (*Stands and takes her hands; he smiles.*) Prejudice, my dear Helen. You might say that if I'd earned these things in some respectable business combination that starved out all its little competitors—but I've simply furnished a fairly expensive entertainment—to eminent citizens—looking for rest.

HELEN. I know all the arguments of your—profession—Jack, and I don't pretend to answer them any more than I answer the arguments of reckless

women who claim that they are more commendable than their sisters who make loveless marriages.

JACK. (*Goes to chair, right.*) I'm not flattered by the implied comparsion—still——

HELEN. I only feel sure that anything which the majority of good people condemn is wrong. (*Sits left of table.*)

JACK. (*Sits right of table.*) I'm sorry——

HELEN. I'd be glad if you meant that—but you're not sorry.

JACK. I *am* sorry—I'm sorry not to have public respect—as long as you think it's valuable.

HELEN. I amuse you—don't I?

JACK (*elbows on knees*). Not a little bit—but you make me blue as the devil, if that's any satisfaction.

HELEN. I'd be glad to make you blue as the devil, Jack, if it meant discontent with what you're doing—if it could make you do better.

JACK. I'm a pretty old leopard to get nervous about my spots.

HELEN. Why are you blue?

JACK. You.

HELEN. In what way?

JACK. I had hoped that twenty years of charitable deeds had made you also charitable in your judgment.

HELEN. I hope it has.

JACK. Don't seem to ease up on my specialty.

HELEN. You called your conduct "wild oats" twenty years ago.

JACK. It was—but I found such an excellent market for my wild oats that I had to stay in that branch of the grain business. Besides, it has been partly your fault, you know.

(HELEN *plays with the ivory paper-knife, balancing it on the front edge of table.*)

HELEN. Mine?

JACK. Your throwing me over for my wild oats —put it up to me to prove that they were a better thing than you thought.

HELEN. Well—having demonsrated that——

JACK. Here we are——

HELEN. Yes—here we are.

JACK. Back in the old town. Don't you think it would be rather a pretty finish, Helen, if despite all my—my leopard's spots—and despite that—(*pause*)—that Philadelphia episode of yours——

HELEN. You call twenty years of marriage episodic.

JACK. I call any departure from the main story episodic.

HELEN. And the main story is——

JACK. You and I——

HELEN. Oh——

(*Paper-knife falls to floor*—JACK *rises and picks it up, stands in front of table left hand on* HELEN'*s—his right gesticulating with paper-knife.*)

JACK. Wouldn't it be a pretty finish if you took my hand and I could walk right up to the camera and say, "I told you so"—? You know I always felt that you were coming back.

HELEN. Oh, did you?

JACK (*playfully, and going right center*). Had a candle burning in the window every night.

HELEN. You're sure it wasn't a red light?

JACK (*remonstrating*). Dear Helen! have some poetry in your composition. Literally "red light" of course—but the real flame was here—(*hand on breast*)—a flickering hope that somewhere—somehow—somewhen I should be at rest—with the proud Helen that loved and—rode away.

HELEN. (*Almost accusingly*) I—believe—you.

JACK. Of course you believe me.

HELEN. You had a way, Jack—when you were a boy at college, of making me write to you.

JACK. Had I? (*Goes back of table*)

HELEN. You know you had; at nights—about this hour—I'd find it impossible to sleep until I'd got up and written to you—and two days later I'd get from you a letter that had crossed mine on the road. I don't believe the word "telepathy" had been coined then—but I guessed something of the force—and all these years, I've felt it—nagging! Nagging!

JACK. Nagging?

HELEN. Yes—I could keep you out of my waking hours—out of my thought—but when I surrendered myself to sleep the *call* would come—and I think it was rather cowardly of you, really.

JACK. (*Back of table*) I plead guilty to having thought of you, Helen—lots—and it was generally when I was alone—late—my—clients gone. This room——

> "Whose lights are fled,
> Whose garlands dead,
> And all but he departed."

HELEN. And as you say—here we are.

JACK. Well, what of my offer? Shall we say to the world—"We told you so?" What of my picturesque finish?

HELEN. You know my ideas—you've known them twenty-two years.

JACK. No modification?

HELEN. None!

JACK. I'll be willing to sell the tables. (*Points above to second floor*) And—well—I don't think I could get interested in this bridge game that the

real good people play—would you object to a gentleman's game of "draw" now and then?

HELEN. You called it a gentleman's game in those days.

JACK. No leeway at all?

HELEN. No compromise, Jack—no——

JACK. M—(*Pause.*) I trust you won't consider my seeming hesitation uncomplimentary?

HELEN. Not unprecedented, at least.

JACK. You see it opens up a new line of thought —and—(*Passes his hand over forehead.*)

HELEN (*rising in sympathy*). And you have a headache, too,—it isn't kind I'm sure.

(*Enter* JO, R. C.)

JACK. Oh, nothing—nothing. (*To* JO.) Well?

JO. That gentleman, sah, about the picture.

JACK. I'll see him. (*Exit* JO.)

HELEN. A caller?

JACK. Won't be a minute—don't go away, because I think we can settle this question to-night, you and I.

HELEN. Please don't put me in the light of waiting for an answer.

JACK. Dear Helen—we're both past that—aren't we? If I can only be sure that I could be worthy of you. I'm the one that's waiting for an answer —from my own weak character and rotten irresolution.

(JACK *goes with* HELEN *to door, center, kisses her hand. She goes;* JACK *retains her hand as long as possible and when he lets it go, it falls limply to* HELEN'*s side as she disappears.*)

They say cards make a fellow superstitious. (*Pause.*) Well—I—guess they do——

(*Enter* Jo *and* JUSTICE PRENTICE. PRENTICE *wears overcoat, carries cane and silk hat.*)

JACK. Judge de Brennus?

PRENTICE (*after amused look at* Jo). Justice Prentice. (*Exit* Jo.)

JACK. Oh, Justice Prentice! Good-evening!

PRENTICE. You are Mr. Brookfield?

JACK. Yes.

PRENTICE. I shouldn't have attempted so late a call but that a friend pointed you out to-night at the opera, Mr. Brookfield, and said that your habit was—well——

JACK. Not to retire immediately?

PRENTICE. Yes.

JACK. Will you be seated?

PRENTICE. I'm only passing through the city. I called to see a Corot that I understand you bought from Knoedler.

JACK. That's it.

PRENTICE. Oh—thank you. (*Starts.*) You don't object to my looking at it?

JACK. Not at all. (*Touches button, light shows on picture.*)

PRENTICE (*after regard*). That's it. (*Pause.*) I thought at one time that I would buy this picture.

JACK. You know it, then?

PRENTICE. Yes. (*Pause.*) Are you particularly attached to it, Mr. Brookfield?

JACK (*sitting*). I think not irrevocably. (*Takes pad of paper and figures mechanically.*)

PRENTICE. Oh. (*Pause, during which the* JUSTICE *looks at the picture.*) Do I understand that is what you paid for it, or what you intend to ask me for it?

(JACK *starts.*)

JACK. What?

PRENTICE. Sixty-five hundred.

JACK (*astonished*). I didn't speak the price, did I?

PRENTICE. Didn't you—oh. (*Pause.*) I couldn't pay that amount.

JACK (*puzzled*). That's its price—however.

PRENTICE. I regret I didn't buy it from the dealer when I had my chance. (*Looks about at other pictures on back wall.*) I couldn't have given it so beautiful a setting, Mr. Brookfield, nor such kindred—but it would not have been friendless—(*At fireplace.*) That's a handsome marine.

JACK. Yes.

PRENTICE. Pretty idea I read recently in an essay of Dr. Van Dyke's. His pictures were for him his windows by which he looked out from his study onto the world. (*Pause.*) Yes?

JACK. Quite so.

PRENTICE (*regarding a picture over dining-room door*). Mm—Washington!

JACK (*again astonished*). What?

PRENTICE. My home is Washington—I thought you asked me?

JACK. No, I didn't.

PRENTICE. I beg your pardon——

JACK (*front of table; aside*). But I'm damned if I wasn't *just* going to ask him.

PRENTICE (*viewing other pictures*). And the phases of your world, Mr. Brookfield, have been very prettily multiplied.

JACK. Thank you—may I offer you a cigar? (*Opens box on table.*)

PRENTICE. Thank you, I won't smoke.

JACK. Or a glass of wine?

PRENTICE. Nothing. I'll return to the hotel—first asking you again to excuse my untimely call.

JACK. I wish you'd sit down awhile.

PRENTICE. But I didn't know until I'd missed it from Knoedler's how large a part of my world

—my dream world—I had been looking at through this frame. (*Regards the Corot again.*)

JACK. Well, if it's a sentimental matter, Mr. Justice, we might talk it over.

PRENTICE. I mustn't submit the sentimental side of it, Mr. Brookfield, and where I have so—so intruded.

JACK. That's the big side of anything for me—the sentimental.

PRENTICE. I'm sure of it—and I mustn't take advantage of that knowledge.

JACK. You're sure of it?

PRENTICE. Yes.

JACK. Is that my reputation?

PRENTENCE. I don't know your reputation.

JACK. Then, how are you sure of it?

PRENTICE (*impressively*). Oh—I see you—and —well, we have *met.*

JACK. (*Pause*) Ah——

PRENTICE. Good-night. (*Going up.*)

JACK. One moment. (*Pause.*) You said your address was Washington?

PRENTICE. Yes.

JACK. You thought at the time I was about to ask you that question?

PRENTICE. I thought you *had* asked it.

JACK. And you thought a moment before I had said sixty-five hundred for the picture?

PRENTICE. Yes.

JACK. Do you often—pick answers that way?

PRENTICE. Well, I think we all do—at times.

JACK. We all do?

PRENTICE. Yes—but we speak the answers only as we get older and less attentive and mistake a person's thought for his spoken word.

JACK. A person's thought?

PRENTICE. Yes.

JACK. Do you mean you know what I think?

PRENTICE (*returning to table*). I hadn't meant

to claim any monopoly of that power. It's my opinion that every one reads the thoughts of others—that is, some of the thoughts.

JACK. Every one?

PRENTICE. Oh, yes.

JACK. That *I* do?

PRENTICE (*regarding him*). I should say *you* more generally than the majority of men.

JACK. There was a woman said something like that to me not ten minutes ago.

PRENTICE. A woman would be apt to be conscious of it.

JACK. You really believe that—that stuff? (*Sits left of table.*)

PRENTICE. Oh, yes—and I'm not a pioneer in the belief. The men who declare the stuff most stoutly are scientists who have given it most attention.

JACK. How do they prove it?

PRENTICE. They *don't* prove it—that is, not universally. Each man must do that for himself, Mr. Brookfield.

JACK. How——

PRENTICE. (*Pause. Smiles.*) Well, I'll tell you all I know of it. (*Becoming serious.*) Every thought is active—that is, born of a desire—and travels from us—or it is born of the desire of some one else and comes to us. We send them out—or we take them in—that is all.

JACK. How do we know which we are doing?

PRENTICE. If we are idle and empty-headed, our brains are the playrooms for the thought of others—frequently rather bad. If we are active, whether benevolently or malevolently, our brains are workshops—*power-houses.* I was passively regarding the pictures; your active idea of the price—registered, that's all—so did your wish to know where I was from.

JACK. You say "*our* brains"—do you still include mine?

PRENTICE. Yes.

JACK. You said mine more than the majority of men's.

PRENTICE. I think so.

JACK. Why hasn't this whatever it is—effect—happened to me, then?

PRENTICE. It has.

JACK. (*Pause.*) Why didn't I know it?

PRENTICE. Vanity? Perhaps.

JACK. Vanity?

PRENTICE. Yes—often some—friend has broached some independent subject and you have said, "I was just about to speak of that myself."

JACK. Very often, but——

PRENTICE. Believing the idea was your own—your vanity shut out the probably proper solution—that it was his.

JACK. Well, how, then, does a man tell which of his thoughts are his own?

PRENTICE. It's difficult. Most of his idle ones are not. When we drift we are with the current. To go against it or to make even an eddy of our own we must swim—Most everything less than that is hopeless.

JACK (*smiling*). Well—I haven't been exactly helpless.

PRENTICE. No one would call you so, Mr. Brookfield. (*Going.*) You have a strong psychic—a strong hypnotic ability.

JACK (*smiling*). You think so?

PRENTICE. I know it.

JACK. This business? (*Makes slight pass after manner of the professional hypnotist.*)

PRENTICE (*smiling*). That business for the beginner, yes——

JACK. You mean that I could hypnotize anybody?

PRENTICE. Many persons—yes—but I wouldn't do it if I were you——

JACK. Why not?

PRENTICE. Grave responsibility.

JACK. In what way?

PRENTICE. (*Pause. Smiles.*) I'll send you a book about it—if I may.

JACK. Instructions?

PRENTICE. And cautions—yes—(*Goes up to picture again.*) If you tire of your Corot, I'd be glad to hear from you.

JACK. Why couldn't I save postage by just *thinking* another price?

PRENTICE. The laws on contracts haven't yet recognized that form of tender.

(*Enter* TOM, L. *center. He laughs and shows signs of drink.*)

TOM. I say, Jack—here's the greatest joke you ever saw—(*Sees the* JUSTICE.) Oh, excuse me.

(*Enter* LEW, *following.*)

LEW. That won't do, Tom.—(*To* JACK.) Excuse me, Jack, but I had to get him out of there.

JACK. I'll go downstairs with you, Mr. Justice. (*Exit with the* JUSTICE.)

TOM. Who's that old bird?

LEW. You'll offend Jack if you're not careful, Tom. You've got half a jag now.

TOM. J' ever see anything's as funny as that? He don't like my scarf-pin—ha, ha—well, I don't like it—but my valet put it on me and what's difference——

(*Enter* L. HARDMUTH.)

HARDMUTH. What was that?

TOM. My scarf-pin!

HARDMUTH. Scarf-pin?

TOM. Yes—he pushed me away from him and I said "what's matter." He said "I don't like your scarf-pin"—ha, ha—I said "don't? I don't like your face."

LEW. Very impolite with the ladies there.

HARDMUTH. Why should he criticize Tom's scarf-pin?

TOM. 'Zactly. I said "I can change my scarf-pin—but I don't like your face."

(*Enter* CLAY *from dining-room excitedly.*)

CLAY. Where's Jack?

LEW. Saying good-night to some old gentleman below.

TOM (*interposing as* CLAY *starts up left center*). And I don't like your face.

CLAY. That's all right, Mr. Denning. (*Tries to pass.*) Excuse me.

TOM (*with scarf-pin in hand*). Excuse *me*. What's the matter with that scarf-pin?

CLAY. It's a cat's-eye and I don't like them, that's all—I don't like to look at them.

LEW. Let him alone, Tom.

TOM. Damn 'f'ee ain't scared of it, ha, ha! (*Pushing pin in front of* CLAY's *face.*)

CLAY (*greatly excited*). Don't do that.

HARDMUTH (*sneering*). 'T won't bite you, will it?

CLAY. (*Averts his face.*) Go away, I tell you.

TOM. (*Holds* CLAY *with left hand. Has pin in right.*) 'T will bite him—bow—wow—wow——

CLAY. Don't, I tell you—don't.

TOM (*still holding him*). Bow—wow—wow——

LEW. Tom!

HARDMUTH (*laughing*). Let them alone.

CLAY. Go away.

TOM. Bow—wow——

(*Enter* JACK.)

JACK. What's the matter here?
TOM (*pursuing* CLAY). Wow——

(CLAY *in frenzy swings the large ivory paper-knife from table, blindly strikes* TOM, *who falls.*)

JACK. Clay!
CLAY (*horrified*). He pushed that horrible cat's-eye right against my face.
JACK. What cat's-eye?
HARDMUTH. (*Picks up the pin which* DENNING *has dropped.*) Only playing with him—a scarf-pin.
LEW (*kneeling by* DENNING). He's out, Jack.

(*Enter* JO.)

CLAY. I didn't mean to hurt him; really I didn't mean that.
HARDMUTH (*taking the paper-knife from* CLAY). The hell you didn't. You could kill a bull with that ivory tusk.
JACK. Put him on the window seat—give him some air.

(*Enter* ALICE, *left center.*)

ALICE. Jack, we're going now—all of us.

(*Enter* HARVEY L.)

JACK (*turning to* ALICE). Wait a minute (*To* JO.) Help Mr. Ellinger there.

(JO., LEW, *and* HARVEY *carry off* TOM *into the dining-room.*)

ALICE. What is it?

JACK. An accident—keep Helen and Viola out of these rooms.

ALICE. Hadn't we better go? Clay is with us.

CLAY. I can't go just now, Mrs. Campbell—(*Looks off.*) I hope it isn't serious—I didn't mean to hurt him, really. (*Exit left.*)

ALICE. A quarrel?

(LEW *enters and waves hand, meaning "All over."*)

HARDMUTH (*with paper-knife*). A murder!

(*Enter* HELEN *and* Viola.)

VIOLA. What's the matter?

(*Enter* CLAY.)

CLAY (*in panic and up right center. To* HELEN). Oh, mother, I've killed him.

HELEN (*taking* CLAY *in her arms*). Killed him—whom?

HARDMUTH. Tom Denning.

CLAY. But I never meant it—Jack; I just struck—struck wild.

HARDMUTH. With this.

HELEN. With that! Oh, my boy!

JACK. That will do! Everybody—Lew, telephone Dr. Monroe it's an emergency case and to come in dressing-gown and slippers. (*Exit* LEW, *right center.*) Alice, I know you're not afraid of a sick man—or—that sort of thing. Help me and Jo. (*Leads* ALICE, *left. She braces herself.*) Viola, you take Mrs. Whipple upstairs and wait there.

HARDMUTH (*starting up right*). I'll notify the police.

HELEN. Oh!

JACK (*interposing*). *Stop!* You'll stay just where you are!

HARDMUTH. You tryin' to hide this thing?

JACK. The doctor'll tell us exactly what this thing is. And then the boy'll have the credit himself *of notifying the police.*

CURTAIN.

ACT II

SCENE — *The library-living room of* JUSTICE PRENTICE, *Washington, D. C.*

The walls of this room are bookcases glassed quite to the ceiling, and filled with books mostly in sheepskin binding. This array is broken by a large bay window at the back, center, which is equipped with a window seat, and by two doors near the front of the stage, one on the right and one on the left.

At the left is also a fireplace with a log fire. In the upper left-hand corner of the room there is a buffet, fitted with glasses and decanters. A dark rug is on the floor.

The furniture of the room is dark oak in Gothic. It consists of a table and three chairs at the center, sofa and smaller table up right. The smaller table holds a lamp.

Over the buffet there is a small canvas by Rousseau showing a sunset.

JUSTICE PRENTICE *and* JUDGE HENDERSON *are playing chess.*

HENDERSON. Checkmate in three moves.

PRENTICE. I don't see that.

HENDERSON. Well, Knight to——

PRENTICE. Yes, yes, I see. Checkmate in three

moves. That's one game each. Shall we play another?

HENDERSON. Let us look at the enemy. (*Draws watch.*) By Jove! Quarter of twelve. I guess Mrs. Henderson will be expecting me soon. (*Pause.*) I'll play a rubber with you, and its result shall decide your position on the Whipple case.

PRENTICE. Why, Mr. Justice, I'm surprised at you. A United States Supreme Court decision—shaped by a game of chess. We'll be down to the level of intelligent jurymen soon—flipping pennies for the verdict.

HENDERSON. And a very good method in just such cases as this. Well, if you won't play—(*rises*)—I'll have to go.

PRENTICE. (*Rises.*) Not without another toddy.

HENDERSON. Yes.

PRENTICE (*at sideboard up left*). Oh, no. Come, now, don't you like this liquor?

HENDERSON. Immensely. Where did you say you got it?

PRENTICE. Kentucky. One lump?

HENDERSON. Only one!

PRENTICE. My old home, sir,—and a bit of lemon?

HENDERSON. A piece of the peel—yes.

PRENTICE. They make it there.

HENDERSON. I'll pour the water. (*Pours.*)

PRENTICE. There, there, don't drown me.

HENDERSON. My folks were Baptists, you see. What do you say it costs you?

PRENTICE. Fifty cents a gallon.

HENDERSON. What!! I think I'll take water. (*Puts down glass.*)

PRENTICE. That's what it cost me. Its value I don't know. An old friend sends it to me. Fifty cents for express.

HENDERSON. Oh!

PRENTICE. That's different, isn't it?

HENDERSON. (*Recovers glass.*) Very!

PRENTICE. He makes it down there. Why, it's in the same county in which this Whipple murder occurred.

HENDERSON. How about that point? We might as well admit it and remand the case.

PRENTICE. No. There 's no constitutional point involved.

HENDERSON. A man 's entitled to an open trial.

PRENTICE. Well, Whipple had it.

HENDERSON. No, he didn't. They wouldn't admit the public.

PRENTICE. Oh, come, now; the court-room was crowded and the Judge refused admission to others —only when there was danger of the floor breaking.

HENDERSON. But, my dear Mr. Justice, that would have been all right to limit the attendance —

PRENTICE. Well, that 's all he did.

HENDERSON. Only he did it by having the sheriff issue tickets of admission. That placed the attendance entirely in the control of the prosecution and the defense is right in asking a rehearing.

PRENTICE. Oh, nonsense! Justice is a little too slow in my old State and I'm impatient with technical delays. It is two years since they openly assassinated the governor-elect and the guilty man is still at large.

HENDERSON. Why should the killing of Scovill bear on this case!

PRENTICE. It bears on me. I 'm concerned for the fair fame of Kentucky.

HENDERSON. Well, if you won't, you won't, and there 's an end of it. (*Rings call bell.*)

PRENTICE. Have another?

HENDERSON. Not another drop. (*Enter* SERVANT.) Get my coat!

PRENTICE. A nightcap.

SERVANT. I beg pardon, sir.

PRENTICE. Speaking to the Justice.

(*Exit* SERVANT.)

HENDERSON. No, I must n't. Mrs. Henderson filed her protest against my coming home loaded and I 've got to be moderate.

PRENTICE. Well, if you won't, you won't.

HENDERSON (*front of table, picks up book*). Hello! Reading the Scriptures in your old age?

PRENTICE. It does look like a Bible, does n't it? That 's a flexible binding I had put on a copy of Bret Harte. I admire him very much.

HENDERSON. I like some of his stuff.

PRENTICE. When I get home from the Capitol and you prosy lawyers, I 'm too tired to read Browning and those heavy guns, so I take Bret Harte — very clever, I think; I was reading before you came — (*takes book*) — "A Newport Romance." Do you know it?

HENDERSON. I don't think I do.

PRENTICE. It 's about an old house at Newport — that 's haunted — a young girl in the colonial days died of a broken heart in this house, it seems. Her sweetheart sailed away and left her — and here 's the way Bret Harte tells of her coming back. (HENDERSON *sits.*) Oh, I 'm not going to read all of it to you — only one verse. (*Looks at book.* — *Pause.*) Oh, I forgot to tell you that when this chap left the girl he gave her a little bouquet — understand? That 's a piece of material evidence necessary to this summing up. (HENDERSON *nods.* PRENTICE *reads.*)

"And ever since then when the clock strikes two,
She walks unbidden from room to room,
And the air is filled, that she passes through,
With a subtle, sad perfume.

The delicate odor of mignonette,
The ghost of a dead-and-gone bouquet,

Is all that tells of her story; yet
Could she think of a sweeter way?"

Isn't that charming, eh?

HENDERSON. A very pretty idea.

PRENTICE. Beautiful to have a perfume suggest her. I suppose it appeals to me especially because I used to know a girl who was foolishly fond of mignonette.

HENDERSON. Well, you don't believe in that stuff, do you?

PRENTICE. What stuff?

HENDERSON. That Bret Harte stuff — the dead coming back — ghosts and so forth?

PRENTICE. Yes, in one way I do. I find as I get older, Judge, that the things of memory become more real every day — every day. Why, there are companions of my boyhood that I haven't thought of for years — that seem to come about me — more tangible, or as much so as they were in life.

HENDERSON. Well, how do you account for that? Spiritualism?

PRENTICE. Oh, no. It's Time's perspective.

HENDERSON. Time's perspective?

PRENTICE. Yes. (*Pause.*) I'll have to illustrate my meaning. (*Indicates a painting.*) Here's a sunset by Rousseau. I bought it in Paris last summer. Do you see what an immense stretch of land there is in it?

HENDERSON. Yes.

PRENTICE. A bird's-eye view of that would require a chart reaching to the ceiling. But see Rousseau's perspective. The horizon line isn't two inches from the base.

HENDERSON. Well?

PRENTICE. (*Returns to table.*) Well, my dear Judge, that is the magic in the perspective of Time. My boyhood's horizon is very near to my old eyes now. The dimmer they grow, the nearer it comes,

until I think sometimes that when we are through with it all—we go out almost as we entered—little children.

HENDERSON. (*Pause.*) That's a very beautiful painting, Judge — a Russell, you say?

PRENTICE. A Rousseau.

HENDERSON. Oh——

PRENTICE. Yes — cost me three thousand only, and a funny thing about it: the canvas just fitted into the top of my steamer trunk, and it came through the custom-house without a cent of duty. I completely forgot it.

HENDERSON. Your memory isn't so retentive, then, as it seems?

PRENTICE. Not on those commercial matters. (*Enter* SERVANT *with coat. In crossing front of table to* HENDERSON, *the coat knocks a miniature from the table to the floor*) You dropped your tobacco-box, I guess, Mr. Justice.

HENDERSON. (*Examines pocket.*) No.

SERVANT. (*Picks up miniature.*) It was this picture, sir.

PRENTICE. My gracious — my gracious! It might have been broken.

SERVANT. Oh, it often falls when I'm dusting, sir.

PRENTICE. Oh, does it? Well, I'll put it away. (*Exit* SERVANT.) An ivory miniature by Wimar. I prize it highly — old-fashioned portrait, see! Gold back.

HENDERSON. A beautiful face.

PRENTICE (*eagerly*). Isn't it? Isn't it? (*Looks over* HENDERSON'S *shoulder.*)

HENDERSON. Very. What a peculiar way of combing the hair — long, and over the ears.

PRENTICE. The only becoming way women ever wore their hair. I think the scrambly style they have now is disgraceful.

HENDERSON. Your mother?

PRENTICE. Dear, no, a young girl I used to know. Oh, don't smile, she's been dead a good thirty years — married and had a large family.

HENDERSON. Very sweet — very sweet, indeed.

PRENTICE. Isn't it? (*Enter* SERVANT.) Well?

SERVANT. Card, sir.

PRENTICE. Gentleman here? (*Takes card.*)

SERVANT. Yes, sir.

PRENTICE. I'll see him. (*Exit* SERVANT.)

HENDERSON. Call?

PRENTICE. Yes. The man owns a picture that I've been trying to buy — a Corot.

HENDERSON. Oh — another of these perspective fellows?

PRENTICE. Yes — his call doesn't surprise me, for he's been in my mind all day.

HENDERSON. Seems to be in a hurry for the money — coming at midnight.

PRENTICE. I set him the example — besides, midnight is just the shank of the evening for Mr. Brookfield. He's supposed to be a sporting man — ahem. (*Enter* SERVANT *and* JACK, JACK *is paler and less physical than in first act*) Good-evening.

JACK. You remember me, Mr. Justice?

PRENTICE. Perfectly, Mr. Brookfield — this is Justice Henderson.

HENDERSON. Mr. Brookfield.

JACK. Pleased to meet you, Mr. Justice. (*To* PRENTICE.) I hope I'm not intruding.

HENDERSON. I'm just going, Mr. Brookfield. (*To* PRENTICE.) To-morow?

PRENTICE. To-morrow!

HENDERSON. (*at door, inquiringly*). No constitutional point about it? Eh?

PRENTICE. None.

HENDERSON. Good-night.

PRENTICE. Good-night. (*To* JACK.) Have a chair.

JACK. Thank you. (*Stands by chair left of table.*)

PRENTICE (*toward buffet*). I've some medicine here that comes directly from your city.

JACK. I don't think I will—if you'll excuse me.

PRENTICE. Ah—(*Pause. Smiles.*) Well, have you brought the picture?

JACK. The picture is still in Louisville — I — I'm in Washington with my niece.

PRENTICE. Yes?

JACK. And — a lady friend of hers. They're very anxious to meet you, Mr. Justice.

PRENTICE. Ah. (*Pause.*) Well — I go to the Capitol at noon to-morrow and —

JACK. To-night! —They're leaving the city to-morrow — as you were when I had the pleasure of receiving you.

PRENTICE. I remember.

JACK (*with watch*). They were to come after me in five minutes if I didn't return; and those five minutes, Mr. Justice, I hoped you would give to me.

PRENTICE. With pleasure. (*Sits right of table.*)

JACK (*plunging at once into his subject*). Those two books you sent me —

PRENTICE. Yes?

JACK. I want to thank you for them again — and to ask you how far you go — with the men that wrote them — especially the second one. Do you believe that book?

PRENTICE. Yes.

JACK. You do?

PRENTICE. I do. I know the man who wrote it — and I believe him.

JACK. Did he ever do any of his stunts for you — that he writes about?

PRENTICE. He didn't call them "stunts," but he has given me many demonstrations of his ability — and mine.

JACK. For example?

PRENTICE. For example? He asked me to think of him steadily at some unexpected time, and to think

of some definite thing. A few days later—this room—two o'clock in the morning—I concentrated my thoughts—I mentally pictured him going to his telephone and calling me.

JACK. And did he do it?

PRENTICE. No—(*pause*)—but he came here at my breakfast hour and told me that at two o'clock he had waked and risen from his bed—and walked to his 'phone in the hallway with an *impulse* to call me—and then had stopped—because he had no message to deliver and because he thought his imagination might be tricking him.

JACK. You hadn't given him any tip, such as asking how he'd slept?

PRENTICE. None. Five nights after that I repeated the experiment.

JACK. Well?

PRENTICE. That time he called me.

JACK. What did he say?

PRENTICE. He said, "Old man, you ought to be in bed asleep; and not disturbing honest citizens," which was quite true.

JACK. By Jove, it's a devilish creepy business, isn't it?

PRENTICE. Yes.

JACK. And if it's so——

PRENTICE. And it is so.

JACK. Pay a man to be careful what he thinks—eh?

PRENTICE. It will very well pay your type of man to do so.

JACK. I don't want to be possessed by any of these bughouse theories; but I'll be blamed if a few things haven't happened to me, Mr. Justice, since you started me on this subject.

PRENTICE. Along this line?

JACK. Yes. (*Pause*) And I've tried the other side of it, too.

PRENTICE. What other side?

JACK. The mesmeric business. (*Pause. Makes passes.*) I can do it.

PRENTICE. Then I should say, Mr. Brookfield, that for you the obligation for clean and unselfish thinking was doubly imperative.

JACK. Within this last year I've put people—well—practically asleep in a chair and I've made them tell me what a boy was doing—a mile away—in a jail.

PRENTICE. I see no reason to call clairvoyance a "bughouse" theory.

JACK. I only know that I do it.

PRENTICE. Yes—you have the youth for it—the glorious strength. Does it make any demand on your vitality?

JACK. (*Passes hand over his eyes.*) I've fancied that a headache to which I'm subject is more frequent—that's all.

PRENTICE. But you find the ability — the power — increases — don't you?

JACK. Yes — in the last month I've put a man into a hypnotic sleep with half a dozen waves of the hand. (*Makes pass.*)

PRENTICE. Why any motion?

JACK. Fixes his attention, I suppose.

PRENTICE (*shaking head*). Fixes your attention. When in your own mind your belief is sufficiently trained, you won't need this. (*Another slight pass.*)

JACK. I won't?

PRENTICE. No.

JACK. What'll I do?

PRENTICE. Simply think. (*Pause.*) You have a headache, for example.

JACK. I have a headache for a fact. (JACK *again passes hand over eyes and forehead*)

PRENTICE. Well — some persons could cure it by rubbing your forehead.

JACK. I know that.

PRENTICE. Others could cure it by the passes of

the hypnotist. Others by simply willing that it should—(*Pause*)—*be cured.*

JACK. Well, that's where I can't follow you—and your friend the author.

PRENTICE. You simply think your headache.

JACK. I know it aches.

PRENTICE. I think it doesn't.

JACK. (*Astonished*) What?

PRENTICE. I—think—it doesn't.

JACK. (*Pause*) Well, just this moment, it doesn't but—(*Pause*)—isn't that—simply mental excitement—won't it come back?

PRENTICE. It won't come back to-day.

JACK. That's some comfort. The blamed things have made it busy for me since I've been studying this business.

PRENTICE. It is a two-edged sword——

JACK. You mean it's bad for a man who tries it?

PRENTICE. I mean that it constantly opens to the investigator new mental heights, higher planes—and every man, Mr. Brookfield, is ill in some manner who lives habitually on a lower level—than the light he sees.

(*Enter* SERVANT.)

SERVANT. Two ladies, sir.

PRENTICE. Your friends?

JACK. I think so.

(PRENTICE *and* JACK *look at* SERVANT.)

SERVANT. Yes, sir.

PRENTICE. Ask them up.

(*Exit* SERVANT.)

JACK. Thank you.

PRENTICE. (*Rises.*) I'll put away Judge Henderson's glass.

JACK. They're Kentucky ladies, Mr. Justice.

PRENTICE (*indicating* JACK). But I don't want any credit for a hospitality I haven't earned.

JACK. I see.

(*Enter* SERVANT *with* HELEN *and* VIOLA.)

JACK. My niece, Miss Campbell.

PRENTICE. Miss Campbell.

JACK. And——

HELEN. One moment, Jack; I prefer to introduce myself.

PRENTICE. Won't you be seated, ladies?

(*Exit* SERVANT. HELEN *sits right of table.* VIOLA *goes to the window-seat.* JACK *stands up center.*)

HELEN. You are not a married man, Justice Prentice?

PRENTICE. I am not.

HELEN. But you have the reputation of being a very charitable one.

PRENTICE. (*Sits left of table.*) That's pleasant to hear—what charity do you represent?

HELEN. None. I hardly know how to tell you my object.

PRENTICE. It's a personal matter, is it?

JACK (*back of table.*) Yes, a very personal matter.

PRENTICE. Ah!

HELEN. I have here an autograph book—

PRENTICE. (*To* JACK.) I usually sign my autograph for those who wish it—at the——

HELEN. I did not come for an autograph, Justice Prentice; I have brought one.

PRENTICE. Well, I don't go in for that kind of thing very much. I have no collection—my taste runs more toward——

HELEN. The autograph I have brought is one of yours, written many years ago. It is signed to a letter. Will you look at it? (*Opens an autograph book and gives small folded and old lace handkerchief from book to* VIOLA, *who joins her.*)

PRENTICE. With pleasure. (*Takes book.*) Is this the letter? Ah—(*Reads.*) "June 15, 1860." Dear me, that's a long time ago. (*Reads.*) "My dear Margaret, the matter passed satisfactorily—A mere scratch. Boland apologized.—Jim." What is this?

HELEN. A letter from you.

PRENTICE. And my dear Margaret—1860. Why, this letter—was it written to Margaret?

HELEN. To Margaret Price——

PRENTICE. Is it possible—well—well. (*Pause.*) I wonder if what we call coincidences are ever mere coincidences. Margaret Price! Her name was on my lips a moment ago.

JACK. Really, Mr. Justice?

PRENTICE. (*To* JACK.) Yes. Did you know Margaret Price?

JACK. Yes. (*Looks at* HELEN—PRENTICE'S *gaze follows.*)

HELEN. She was my mother——

PRENTICE. Margaret Price was——

HELEN. Was my mother.

PRENTICE. Why, I was just speaking of her to Justice Henderson whom you saw go out. Her picture dropped from the table here. (*Gets it.*) This miniature, Margaret Price gave it to me herself. And you are her daughter?

HELEN. Yes, Justice Prentice.

PRENTICE. Yes, I can see the likeness. At twenty you must have looked very like this miniature. (*Passes miniature to* HELEN.)

HELEN (*as* JACK *and* VIOLA *look at miniature*). I have photographs of myself that are very like this. (*To* PRENTICE.) And you were speaking of her just now.

PRENTICE. Not five minutes ago.—But be seated, please. (VIOLA *sits again at window.*) I'm very delighted to have you call.

HELEN. Even at such an hour?

PRENTICE. At any hour. Margaret Price was a very dear friend of mine; and to think, you're her daughter. And this letter 1860—what's this?

HELEN. Oh, don't touch that. It will break. It's only a dry spray of mignonette, pinned to the note when you sent it.

PRENTICE (*musingly*). A spray of mignonette.

HELEN. My mother's favorite flower, and perfume.

PRENTICE. I remember. Well, well, this is equally astonishing.

JACK. Do you remember the letter, Mr. Justtice?

PRENTICE. Perfectly

JACK. And the circumstances it alludes to?

PRENTICE. Yes. It was the work of a romantic boy. I—I was very fond of your mother, Mrs.—by the way, you haven't told me your name.

HELEN. Never mind that now. Let me be Margaret Price's daughter for the present.

PRENTICE. Very well. Oh, this was a little scratch of a duel—they've gone out of fashion now, I'm thankful to say.

HELEN. Do you remember the cause of this one?

PRENTICE. Yes; Henry Boland had worried Margaret some way. She was frightened, I think, and fainted.

HELEN. And you struck him?

PRENTICE. Yes, and he challenged me.

HELEN. I've heard mother tell it. Do you remember what frightened her?

PRENTICE. I don't believe I do. Does the letter say?

HELEN. No. Try to think.

PRENTICE. Was it a snake or a toad?

HELEN. No—a jewel.

PRENTICE. A jewel? I remember now—a—a—cat's-eye. A cat's-eye jewel, wasn't it?

HELEN (*with excitement*). Yes, yes, yes. (*Weeping.*)

PRENTICE. My dear madam, it seems to be a very emotional subject with you.

HELEN. It is. I've hoped so you would remember it. On the cars I was praying all the way you would remember it. And you do—you do.

PRENTICE. I do.

VIOLA. (*Comes to* HELEN.) Compose yourself, dear. Remember what depends on it.

PRENTICE. It is evidently something in which I can aid you.

HELEN. It is—and you will?

PRENTICE. There is nothing I would not do for a daughter of Margaret Price. You are in mourning, dear lady; is it for your mother?

HELEN. For my son.

PRENTICE. (*To* JACK.) How long has he been dead?

HELEN. He is not dead. Justice Prentice, my boy—the grandson of Margaret Price—is under a sentence of death.

PRENTICE. Sentence of death?

HELEN. Yes. I am the mother of Clay Whipple——

PRENTICE (*Rises*). But, madam——

HELEN. He is to die. I come——

PRENTICE. (*Retreats towards second door.*) Stop! You forget yourself. The case of Whipple is before the Supreme Court of the United States. I am a member of that body—I cannot listen to you.

HELEN. You must.

PRENTICE. You are prejudicing his chances. (*To* JACK.) You are making it *necessary* for me to rule against him. (*To* HELEN.) My dear madam, for the sake of your boy, do not do this. It is unlawful —without dignity or precedent. (*To* JACK.)

If the lady were not the mother of the boy I should call your conduct base——

VIOLA. But she is his mother.

HELEN (*following*). And Justice Prentice, I am the daughter of the woman you loved.

PRENTICE. I beg you to be silent.

JACK. Won't you hear us a moment?

PRENTICE. I cannot. I dare not—I must leave you. (*Going.*)

VIOLA. Why?

PRENTICE. I have explained—the matter is before the court. For me to hear you would be corrupt.

HELEN. I won't talk of the question before your court. That our attorneys tell us, is a constitutional point.

PRENTICE. That is its attitude.

HELEN. I will not talk of that. I wish to speak of this letter.

JACK. You can listen to that, can't you, Mr. Justice?

PRENTICE. Do you hope for its influence indirectly?

HELEN. No; sit down, Justice Prentice, and compose yourself. I will talk calmly to you.

PRENTICE. My dear madam, my heart bleeds for you. (*To* JACK.) Her agony must be past judicial measurement.

JACK. Only God knows, sir!

(HELEN *sits at table;* VIOLA *stands by her side;* PRENTICE *sits by the fire;* JACK *remains standing.*)

HELEN. (*Pause.*) Justice Prentice.

PRENTICE. Mrs. Whipple.

HELEN. You remember this letter—you have recalled the duel. You remember—thank God—its cause?

PRENTICE. I do.

HELEN. You know that my mother's aversion to that jewel amounted almost to an insanity?

PRENTICE. I remember that.

HELEN. I inherited that aversion. When a child, the sight of one of them would throw me almost into convulsions.

PRENTICE. Is it possible?

HELEN. It is true. The physicians said I would outgrow the susceptibility, and in a measure I did so. But I discovered that Clay had inherited the fatal dislike from me.

JACK. You can understand that, Mr. Justice?

PRENTICE. Medical jurisprudence is full of such cases. Why should we deny them? Is nature faithful only in physical matters? You are like this portrait. Your voice *is* that of Margaret Price. Nature's behest should have also embraced some of the less apparent possessions, I think.

JACK. We urged all that at the trial, but they called it invention.

PRENTICE. Nothing seems more probable to me.

HELEN. Clay, my boy, had that dreadful and unreasonable fear of the jewel. I protected him as far as possible, but one night over a year ago, some men—companions—finding that the sight of this stone annoyed him, pressed it upon his attention. He did not know, Justice Prentice, he was not responsible. It was insanity, but he struck his tormentor and the blow resulted in the young man's death.

PRENTICE. Terrible—terrible!

HELEN. My poor boy is crushed with the awful deed. He is not a murderer. He was never that, but they have sentenced him, Justice Prentice—he—is to die. (*Rises impulsively.*)

JACK (*catching her*). Now—now—my dear Helen, compose yourself.

VIOLA (*embracing her*). You promised.

HELEN. Yes, yes, I will. (VIOLA *leads* HELEN *aside.*)

PRENTICE. All this was ably presented to the trial court, you say?

JACK. By the best attorneys.

PRENTICE. And the verdict?

JACK. Still was guilty. But, Mr. Justice, the sentiment of the community has changed very much since then. We feel that a new trial would result differently.

HELEN. When our lawyers decided to go to the Supreme Court, I remembered some letters of yours in this old book. Can you imagine my joy when I found the letter was on the very point of this inherited trait on which we rested our defense?

JACK. We have ridden twenty-four hours to reach you. The train came in only at ten o'clock.

HELEN. You—you are not powerless to help me. What is an official duty to a mother's love? To the life of her boy?

PRENTICE. My dear, dear madam, that is not necessary—believe me. This letter comes very properly under the head of new evidence. (*To* JACK.) The defendant is entitled to a rehearing on that.

HELEN. Justice Prentice! Justice Prentice! (*Turns again to* VIOLA.)

VIOLA. There—there—(*Comforts* HELEN.)

PRENTICE. Of course that isn't before us, but when we remand the case on this constitutional point——

HELEN. Then you will—you will remand it?

PRENTICE (*prevaricating*). Justice Henderson had convinced me on the point as you called. So I think there is no doubt of the decision.

HELEN. You can never know the light you let into my heart.

(VIOLA *returns lace handkerchief to book which* HELEN *opens for the purpose, closing it again on handkerchief.*)

PRENTICE. What is that perfume? Have you one about you?

HELEN. Yes, on this handkerchief.

PRENTICE. What is it?

HELEN. Mignonette.

PRENTICE. Mignonette.

HELEN. A favorite perfume of mother's. This handkerchief of hers was in the book with the letter.

PRENTICE. Indeed.

HELEN. Oh, Justice Prentice, do you think I can save my boy?

PRENTICE. (*To* JACK.) On the rehearing I will take pleasure in testifying as to this hereditary aversion—and what I knew of its existence in Margaret Price.

JACK. May I tell the lawyers so?

PRENTICE. No. They will learn it in the court to-morrow. They can stand the suspense. I am speaking comfort to the mother's heart.

HELEN. Comfort. It is life!

PRENTICE. (*To* JACK.) Say nothing of this call, if you please. Nothing to anyone.

JACK. We shall respect your instructions, Mr. Justice. My niece, who has been with Mrs. Whipple during this trouble, is the fiancée of the boy who is in jail.

PRENTICE. You have my sympathy, too, my dear.

VIOLA. Thank you. (*Goes to* PRENTICE *and gives him her hand.*)

PRENTICE. And now good-night.

VIOLA. Good-night. (*Goes to door where* JACK *joins her.*)

HELEN. Good-night, Justice Prentice. You must know my gratitude—words cannot tell it.

(*Exit* VIOLA.)

PRENTICE. Would you do me a favor?

HELEN. Can you ask it? (JACK *waits at the door.*)

PRENTICE. If that was the handkerchief of Margaret Price, I'd like to have it.

(*With a moment's effort at self-control,* HELEN *gives* PRENTICE *the handkerchief. She does not dare to speak, but turns to* JACK *who leads her out.* PRENTICE *goes to the table anl takes up the miniature. A distant bell strikes two.*)

PRENTICE. Margaret Price. People will say that she has been in her grave thirty years, but I'll swear her spirit was in this room to-night and directed a decision of the Supreme Court of the United States. (*Noticing the handkerciehf which he holds, he puts it to his lips.*)

"The delicate odor of mignonette,
The ghost of a dead-and-gone bouquet,
Is all that tells of her story; yet
Could she think of a sweeter way?"

CURTAIN.

ACT III.

SCENE:—*Same as Act I.*

JACK *in chair* R. *of table with elbows on knees apparently in deep thought.*

(*Enter* HARVEY, *left.*)

HARVEY. Mars Jack.

JACK. Well, Uncle Harvey?

HARVEY. 'Scuse me, sah, when you wants to be alone, but I'se awful anxious, myself. Is dey any word from the court-house?

JACK. None, Uncle Harvey.

HARVEY. 'Cause Jo said Missus Campbell done come in, an' I thought she'd been to the trial, you know.

JACK. She has. You're not keeping anything from me, Uncle Harvey.

HARVEY. 'Deed, no, sah. Ah jes' like to ask you, Mars Jack, if I'd better have de cook fix sumpun' to eat—maybe de other ladies comin' too?

JACK. Yes, Uncle Harvey, but whether they'll want to eat or not'll depend on what word comes back with the jury.

HARVEY. Yes, sah. (*Exit left.*)

(*Enter* ALICE, *right center.*)

ALICE (*in astonishment and reproach*). Jack——
(*She comes down left.*)

JACK. Well——

ALICE. Why are you here?

JACK. Well—I live here.

ALICE. But I thought you'd gone to Helen and Viola.

JACK. No.

ALICE. You should do so, Jack. Think of them alone when that jury returns—as it may at any moment—with its verdict.

JACK. The lawyers are there and Lew Ellinger is with them.

ALICE. But Helen—Helen needs you.

JACK. I may be useful here.

ALICE. How?

JACK. There's one man on that jury that I think is a friend.

ALICE. One man?

JACK. Yes.

ALICE. Out of a jury of twelve.

JACK. One man can stop the other eleven from bringing in an adverse verdict—and this one is with us.

ALICE. Would your going to Helen and Viola in the court-house stop his being with us?

JACK. Perhaps not, but it would stop my being with him.

ALICE. What? (*Looks about.*) I don't understand you.

JACK. Justice Prentice told me that he could sit alone in his room and make another man get up and walk to the telephone and call him by simply thinking steadily of that other man.

ALICE. Superstitious people imagine anything

JACK. Imagine much—yes—but this isn't imagination.

ALICE. It's worse—Jack. I call it spiritualism.

JACK. Call it anything you like—spiritualism—or socialism— or rheumatism—it's there. I know nothing about it scientifically, but I've tried it on and it works, my dear Alice, it works.

ALICE. You've tried it on?

JACK. Yes.

ALICE. With whom?

JACK. With you.

ALICE. I don't know it if you have.

JACK. That is one phase of its terrible subtlety.

ALICE. When did you try it on?

JACK (*inquiringly*). That night, a month ago, when you rapped at my door at two o'clock in the morning and asked if I was ill in any way.

ALICE. I was simply nervous about you.

JACK. Call it "nervousness" if you wish to—but that was an experiment of mine—a simple experiment.

ALICE. Oh!

JACK. Two Sundays ago you went up to the church door—hesitated, and turned home again.

ALICE. Lots of people do that.

JACK. I don't ask you to take stock in it, but that was another experiment of mine. The thing appeals to me. I can't help Helen by being at the court-

house, but, as I'm alive and my name's Jack Brookfield, I do believe that my thought reaches that particular juryman.

ALICE. That's lunacy, Jack, dear.

JACK. (*Rises and walks.*) Well, call it "lunacy." I don't insist on "rheumatism."

ALICE. Oh, Jack, the boy's life is in the balance. Bitter vindictive lawyers are prosecuting him, and I don't like my big strong brother, who used to meet men and all danger face to face, treating the situation with silly mind-cure methods—hidden alone in his rooms. I don't like it.

JACK. You can't acquit a boy of murder by having a strong brother thrash somebody in the courtroom. If there was anything under the sun I could do with my physical strength, I'd do it; but there isn't. Now, why not try this? Why not, if I believe I can influence a juryman by my thought,—why not try?

(ALICE *turns away. Enter* JO, *right center.*)

JACK. Well?

JO. Mistah Hardmuth.

ALICE (*astonished*). Frank Hardmuth?

JO. Yes.

JACK. Here's one of the "bitter vindictive" men you want me to meet face to face. You stay here while I go and do it. (*Starts up.*)

(*Enter* HARDMUTH.)

HARDMUTH. Excuse me, but I can't wait in an anteroom.

JACK. That'll do, Jo. (*Exit* JO.)

HARDMUTH. I want to see you alone.

JACK. (*To* ALICE) Yes——

ALICE (*going*). What do you think it is?

JACK. Nothing to worry over. (*Conducts her to door left. Exit* ALICE.)

HARDMUTH. (*threateningly*) Jack Brookfield.

JACK. Well? (*Confronts* HARDMUTH.)

HARDMUTH. I've just seen Harvey Fisher—of the *Courier.*

JACK. Yes.

HARDMUTH. He says you've hinted at something associating me with the shooting of Scovill.

JACK. Right.

HARDMUTH. What do you mean?

JACK. I mean, Frank Hardmuth, that you shan't hound this boy to the gallows without reckoning with me and the things I know of you.

HARDMUTH. I'm doing my duty as a prosecuting attorney.

JACK. You are, and a great deal more—you're venting a personal hatred.

HARDMUTH. That hasn't anything to do with this insinuation you've handed to a newspaper man, an insinuation for which anybody ought to kill you.

JACK. I don't deal in "insinuations." It was a charge.

HARDMUTH. A statement?

JACK. A charge! You understand English—a specific and categorical charge.

HARDMUTH. That I knew Scovill was to be shot.

JACK. That you knew it? No. That you planned it and arranged and *procured* his assassination.

HARDMUTH (*in low tone*). If the newspapers print that, I'll kill you—damn you, I'll kill you.

JACK. I don't doubt your willingness. And they'll print it—if they haven't done so already—and if they don't print it, by God, I'll print it myself and *paste it on the fences.*

HARDMUTH (*weakening.*) What have I ever done to you, Jack Brookfield, except to be your friend?

JACK. You've been much too friendly. With this murder on your conscience, you proposed to take to yourself, as wife, my niece, dear to me as my life. As revenge for her refusal and mine, you've perse-

cuted through two trials the boy she loved, and the son of the woman whose thought regulates the pulse of my heart, an innocent, unfortunate boy. In your ambition you've reached out to be the governor of this State, and an honored political party is seriously considering you for that office to-day.

HARDMUTH. That Scovill story's a lie—a political lie. I think you mean to be honest, Jack Brookfield, but somebody's strung you.

JACK. Wait! The man that's now hiding in Indiana—a fugitive from your feeble efforts at extradition—sat upstairs drunk and desperate—his last dollar on a case card. I pitied him. If a priest had been there he couldn't have purged his soul cleaner than poor Raynor gave it to me. If *he* put me on, am I strung?

HARDMUTH (*frightened.*) Yes, you are. I can't tell you why, because this jury is out and may come in any moment and I've got to be there, but I can square it. So help me God, I can square it.

JACK. You'll have to square it.

(*Enter* ALICE, *left, followed by* PRENTICE.)

ALICE Jack. (*Indicates* PRENTICE.)

PRENTICE. Excuse me, I——

HARDMUTH. Oh—Justice Prentice.

JACK. Mr. Hardmuth—the State's attorney.

PRENTICE. I recognize Mr. Hardmuth. I didn't salute him because I resent his disrespectful treatment of myself during his cross-examination.

HARDMUTH. Entirely within my rights as a lawyer and——

PRENTICE. Entirely—and never within the opportunities of a gentleman.

HARDMUTH. Your side foresaw the powerful effect on a local jury of any testimony by a member of the Supreme Court, and my wish to break that—

PRENTICE. Was quite apparent, sir,—quite ap-

parent,—but the testimony of every man is entitled to just such weight and consideration as that man's character commands. But it is not that disrespect which I resent. I am an old man—That I am unmarried—childless—without a son to inherit the vigor that time has reclaimed, is due to—a sentiment that you endeavored to ridicule, Mr. Hardmuth, a sentiment which would have been sacred in the hands of any true Kentuckian, which I am glad to hear you are not.

JACK. That's all.

HARDMUTH. Perhaps not. (*Exit.*)

PRENTICE. My dear Mr. Brookfield, that man certainly hasn't seen this newspaper?

JACK. No—but he knows it's coming.

PRENTICE. When I urged you as a citizen to tell anything you knew of the man, I hadn't expected a capital charge.

ALICE. What is it, Jack,—what have you said?

JACK. (*To* ALICE. *Hands paper.*) All in the headlines—read it. (*To* PRENTICE.) That enough for your purpose, Justice Prentice?

PRENTICE. I never dreamed of an attack of that —that magnitude—Enough!

ALICE. Why—why did you do this, Jack?

JACK. Because I'm your big strong brother—and I had the information.

PRENTICE. It was necessary, Mrs. Campbell,—necessary.

ALICE. Why necessary?

JACK. My poor sister, you don't think. If that jury brings in a verdict of guilty—what then?

ALICE. What then? I don't know.

JACK. An appeal to the governor—for clemency.

ALICE. Well?

JACK. Then we delay things until a new governor comes in. But suppose that new governor is Hardmuth himself.

ALICE. How can the new governor be Hardmuth?

PRENTICE. Nothing can stop it if he gets the nomination, and the convention is in session at Frankfort to-day with Mr. Hardmuth's name in the lead.

JACK (*indicating paper*). I've served that notice on them and they won't dare nominate him. That is, I think they won't.

ALICE. But to charge him with murder?

PRENTICE. The only thing to consider there is,—have you your facts?

JACK. I have.

PRENTICE. Then it was a duty and you chose the psychological moment for its performance. "With what measure you mete—it shall be measured to you again." I have pity for the man whom that paper crushes, but I have greater pity for the boy he is trying to have hanged. (*Goes to* ALICE.) You know, Mrs. Campbell, that young Whipple is the grandson of an old friend of mine.

ALICE. Yes, Justice Prentice, I know that.

(*Enter* JO, R. C., *followed by* HELEN *and* VIOLA.)

JO. Mars Jack!

JACK (*turning*). Yes?

HELEN. Oh, Jack!—(*Comes down to* JACK. VIOLA *goes to* ALICE.)

JACK. What is it? (*Catches and supports* HELEN.)

VIOLA. The jury returned and asked for instructions.

JACK. Well?

HELEN. There's a recess of an hour.

VIOLA. The court wishes them locked up for the night, but the foreman said the jurymen were all anxious to get to their homes and he felt an agreement could be reached in an hour.

PRENTICE. Did he use exactly those words—"to their homes"?

VIOLA. "To their homes"—yes.

PRENTICE (*smiling at Jack.*) There you are.

HELEN. What, Jack?

JACK. What?

PRENTICE. Men with vengeance or severity in their hearts would hardly say they're "anxious to get to their homes." They say "the jury is anxious to get away," or "to finish its work."

HELEN. Oh, Justice Prentice, you pin hope upon such slight things.

PRENTICE. That is what hope is for, my dear Mrs. Whipple; the frail chances of this life.

VIOLA. And now, Uncle Jack, Mrs. Whipple ought to have a cup of tea and something to eat.

HELEN. Oh, I couldn't—we must go back at once.

VIOLA. Well, I could—I—I must.

ALICE. Yes—you must—both of you. (*Exit to dining-room.*)

VIOLA (*returning to* HELEN). You don't think it's heartless, do you?

HELEN. You dear child. (*Kisses her.*)

VIOLA. You come, too.

HELEN (*refusing*). Please. (*Exit* VIOLA. HELEN *sinks to sofa.*)

JACK. And now, courage, my dear Helen; it's almost over.

HELEN. At the other trial the jury delayed—just this way.

PRENTICE. Upon what point did the jury ask instruction?

HELEN. Degree.

PRENTICE. And the court?

HELEN. Oh, Jack, the judge answered—guilty in the first degree, or not guilty.

PRENTICE. That all helps us.

HELEN. It does?

JACK. Who spoke for the jury?

HELEN. The foreman—and one other juryman asked a question.

JACK. Was it the man in the fourth chair—first now?

HELEN (*inquiringly*). Yes——?

JACK. Ah.

HELEN. Why?

JACK. I think he's a friend, that's all.

HELEN. I should die, Jack, if it wasn't for your courage. You won't get tired of it—will you—and forsake my poor boy—and me?

JACK (*encouragingly*). What do you think?

HELEN. All our lawyers are kindness itself, but—but—you—Jack—you somehow——

(*Enter* VIOLA.)

VIOLA. Oh, Uncle Jack—here's a note our lawyer asked me to give to you—I forgot it until this minute.

JACK. Thank you. (*Takes note.*)

VIOLA. Please try a cup of tea.

HELEN. No—no—Viola. (*Exit* VIOLA.) What is it, Jack? Are they afraid?

JACK. It's not about the trial at all. (*Hands note to* PRENTICE.)

HELEN. Really?

JACK. Yes.

HELEN. But why don't you show it to us, then?

JACK. (PRENTICE *returns note.*) I will—if my keeping it gives you so much alarm as that. (*Turns on the large drop light and stands under it.*) Colonel Bayley says—"Dear Jack, I've seen the paper; Hardmuth will shoot on sight."

HELEN (*quickly to* JACK's *side*). Oh, Jack, if anything should happen to you——

JACK. "Anything" is quite as likely to happen to Mr. Hardmuth.

HELEN. But not even that—my boy has killed a man—and—you—Jack—you—well, you just mustn't let it happen, that's all.

JACK. I mustn't let it happen because——?

HELEN. Because—I—couldn't bear it.

(JACK *lifts her hand to his face and kisses it. Enter* ALICE.)

ALICE. What was the letter, Jack?

JACK. (*Hands letter to* ALICE *as he passes, leading* HELEN *to door.*) And, now I'll agree to do the best I can for Mr. Hardmuth if you'll take a cup of tea and a biscuit.

HELEN. There isn't time.

JACK. There's plenty of time if the adjournment was for an hour.

ALICE (*in alarm*). Jack!

JACK. Eh—(*Turns to* ALICE). Wait one minute. (*Goes on to door with* HELEN.) Go.

(*Exit* HELEN.)

ALICE (*as* JACK *returns*). He threatens your life.

JACK. Not exactly. Simply Colonel Bayley's opinion that he will shoot on sight.

ALICE (*impatiently*). Oh——

JACK. There is a difference, you know.

(*Enter* JO.)

JO. Mr. Ellinger, sah.

(*Enter* LEW.)

LEW (*briskly*). Hello, Jack.

(*Exit* JO.)

JACK. Well, Lew?

LEW (*with newspaper*). Why, that's the damnedest thing—(*To* ALICE.) I beg your pardon.

ALICE. Don't, please—some manly emphasis is a real comfort, Mr. Ellinger.

LEW. That charge of yours against Hardmuth is raisin' more h-h-high feeling than anything that ever happened.

JACK. I saw the paper.

LEW. You didn't see this—it's an extra. (*Reads.*) "The charge read to the convention in night session at Frankfort—Bill Glover hits Jim Macey on the nose—DeVoe of Carter County takes Jim's gun away from him The delegation from Butler get down to their stomachs and crawl under the benches—some statemen go through the windows. Convention takes recess till morning. Local sheriff swearin' in deputies to keep peace in the barrooms."—That's all you've done.

JACK. (*To* ALICE.) Good! (*To* PRENTICE.) Well, they can't nominate Mr. Hardmuth now.

LEW. (*To* ALICE.) I been hedgin'—I told the fellows I'd bet Jack hadn't said it.

JACK. Yes—I did say it.

LEW. In just those words—? (*Reads.*) "The poor fellow that crouched back of a window sill and shot Kentucky's governor deserves hanging less than the man whom he is shielding—the man who laid the plot of assassination. The present prosecuting attorney by appointment—Frank Allison Hardmuth." Did you say that?

JACK. Lew, that there might be no mistake—I wrote it. (LEW *whistles;* JACK *takes the paper and scans it.*)

LEW. Is it straight?

JACK. Yes. (*Pushes hanging button and turns off the large drop.*)

LEW. He *was* in the plot to kill the governor?

JACK. He organized it.

LEW. Well, what do you think of that? And now he's runnin' for governor himself—a murderer!

JACK. Yes.

LEW. (*To* PRENTICE.) And for six months he's been houndin' every fellow in Louisville that sat down to a game of cards. (JACK *nods.*) The damned rascal's nearly put me in the poorhouse.

JACK. Poor old Lew!

LEW. (*To* PRENTICE.) Why, before I could get to that court-house to-day I had to take a pair of scissors that I used to cut coupons with and trim the whiskers off o' my shirt cuffs. (*To* JACK.) How long have you known this?

JACK. Ever since the fact.

PRENTICE. Mm——

LEW. Why do you spring it only now?

JACK. Because until now I lacked the character and the moral courage. I spring it now by the advice of Justice Prentice to reach that convention at Frankfort.

LEW. Well, you reached them.

PRENTICE. The convention was only a secondary consideration with me—my real object was this jury with whom Mr. Hardmuth seemed too powerful.

LEW. Reach the jury?

JACK (*enthusiatically*). The jury? Why, of course,—the entire jury,—and I was hoping for one man——

LEW. Why, they don't see the papers—the jury won't get a line of this.

JACK. I think they will.

LEW. You got 'em fixed?

JACK. Fixed? No.

LEW. Then how will they see it.

PRENTICE (*firmly and slowly to* LEW, *who is half dazed*). How many people in Louisville have already read that charge as you have read it?

LEW. Thirty thousand, maybe, but——

PRENTICE. And five hundred thousand in the little cities and the towns. Do you think, Mr. Ellinger, that all those minds can be at white heat over that knowledge and none of it reach the thought of those twelve men? Ah, no——

JACK. To half a million good Kentuckians to-night Frank Hardmuth is a repulsive thing—and that jury's faith in him—is dead.

LEW. (*Pause.*) Why, Jack, old man, you're dippy.

(ALICE *turns away wearily, agreeing with* LEW.)

PRENTICE. Then, Mr. Ellinger, I am dippy, too.

(ALICE *turns back.*)

LEW. You mean you think the jury gets the public opinion—without anybody tellin' them or their reading it.

PRENTICE. Yes. (*Pause.* LEW *looks stunned*) In every widely discussed trial the defendant is tried not alone by his twelve peers, but by the entire community.

LEW. Why, blast it! The community goes by what the newspaper says!

PRENTICE. That is often the regrettable part of it—but the fact remains.

JACK. And that's why you asked me to expose Frank Hardmuth?

PRENTICE. Yes.

LEW. Well, the public will think you did it because he closed your game.

JACK. Hardmuth didn't close my game.

LEW. Who did?

JACK (*pointing to* PRENTICE). This man.

PRENTICE. (*To* JACK.) Thank you.

LEW. How the he—er—heaven's name did he close it?

JACK. He gave my self-respect a slap on the back and I stood up. (*Exit.*)

LEW (*thoroughly confused. Pause*). Stung! (*Turns to* PRENTICE.) So you are responsible for these—these new ideas of Jack's?

PRENTICE. In a measure. Have the ideas apparently hurt Mr. Brookfield?

LEW. They've put him out of business—that's all.

PRENTICE. Which business?

LEW. Why, this house of his.

PRENTICE. I see. But his new ideas? Don't you like them, Mr. Ellinger?

LEW. I love Jack Brookfield—love him like a brother—but I don't want even a brother askin' me if I'm sure I've "thought it over" when I'm startin' to take the halter off for a pleasant evenin'. Get my idea?

PRENTICE. I begin to.

LEW. In other words—I don't want to take my remorse first. It dampens the fun. The other day a lady at the races said, "We've missed you, Mr. Ellinger." And I said, "Have you?—Well I'll be up this evening," and I'm pressing her hand and hanging on to it till I'm afraid I'll get the carriage grease on my coat—feelin' only about thirty-two, you know; then I turn round and Jack has those sleepy lamps on me—and "bla"—(*Turns and sinks onto sofa.*)

PRENTICE. And you don't go?

LEW (*bracing up*). I do go—as a matter of self-respect—but I don't make a hit. I'm thinking so much more about those morality ideas of Jack's than I am about the lady that it cramps my style and we never get past the weather, and "when did you last hear from So and-so?" (*Rises.*) I want to reform all right. I believe in reform. But first I want to have the fun of fallin' and fallin' hard.

JO (*distant and outside*). 'Fore God, Mars Clay!

CLAY. Jo, is my mother here?

ALICE (*entering left*). Why, that's Clay.

(*Voices off continue together and approach.*)

LEW. (*To* PRENTICE.) It's the boy.

ALICE. His mother! (*Starts to call* HELEN, *then falters in indecision.*) Oh!

(*The outside voices grow louder.*)

PRENTICE. Acquittal!

(*Enter* CLAY, *followed by* COLONEL BAYLEY, *his attorney.*)

ALICE. Clay, Clay!
CLAY. Oh, Mrs. Campbell.

(ALICE *embraces him. Enter* JACK, HELEN, *and* VIOLA *from the dining-room.*)

JACK (*seeing* CLAY *and speaking back to* HELEN). Yes.
HELEN (*as she enters*). My boy!
CLAY. Mother!

(*They embrace.* CLAY *slips to his knee with his face hidden in* HELEN'*s lap, repeating her name.* HELEN *standing sways and is caught by* JACK. CLAY *noting this weakness rises and helps support her.*)

JACK (*rousing her*). He's free, Helen, he's free.
CLAY. Yes, mother, I'm free.

(VIOLA, *who has crossed back of* CLAY *and* HELEN, *weeps on shoulder of* ALICE, *who comforts her.*)

HELEN. My boy, my boy!

(VIOLA *looks at them.* HELEN *sees* VIOLA *and turns* CLAY *toward her.* CLAY *takes* VIOLA *in his arms.*)

CLAY. Viola, my brave sweetheart!
VIOLA. It's really over?
CLAY. Yes.
JACK. It's a great victory, Colonel.
BAYLEY. Thank you.
JACK. If ever a lawyer made a good fight for a man's life, you did. Helen, Viola, you must want to shake this man's hand.

VIOLA. I could have thrown my arms around you when you made that speech.

BAYLEY (*laughing*). Too many young fellows crowding into the profession as it is.

HELEN (*taking his hand*). Life must be sweet to a man who can do so much good as you do.

BAYLEY. I couldn't stand it, you know, if it wasn't that my ability works both ways.

(*Enter* HARVEY, *left.*)

HARVEY. Mars Clay.

CLAY. Harvey! Why, dear old Harvey. (*Half embraces* HARVEY *and pats him affectionately.*)

HARVEY. Yes, sah. Could—could you eat anything, Mars Clay?

CLAY. Eat anything! Why I'm starvin', Harvey.

HARVEY. Ha, ha. Yes, sah. (*Exit quickly.*)

CLAY. But you with me mother—and Viola.

HELEN. My boy! Colonel! (*Turns to* BAYLEY. *Exeunt* CLAY, VIOLA, HELEN, BAYLEY, *and* ALICE *to dining-room.*)

JACK. (*Alone with* PRENTICE. *Picks up* BAYLEY'S *letter; takes hold of push button over head.*) Mr. Justice—I shall never doubt you again.

PRENTICE. Mr. Brookfield, never doubt yourself.

(*Enter* HARDMUTH. *He rushes down toward dining-room and turns back to* JACK *who is under the lamp with his hand on its button.*)

HARDMUTH. You think you'll send me to the gallows, but, damn you, you go first yourself. (*Thrusts a derringer against* JACK'S *body*)

JACK. Stop! (*The big light flashes on above* HARDMUTH'S *eyes. At* JACK'S "*Stop,*" PRENTICE *inclines forward with eyes on* HARDMUTH *so that there is a double battery of hypnotism on him. A pause.*) You can't shoot—that—gun. You can't

pull the trigger. (*Pause.*) You can't—even—hold —the—gun. (*Pause. The derringer drops from* HARDMUTH'S *hand.*) Now, Frank, you can go.

HARDMUTH (*recoiling slowly*). I'd like to know —how in hell you did that—to me.

CURTAIN.

ACT IV

SCENE:—*Same as Act III. All lights on including big electric.*

CLAY *and* VIOLA *seated on sofa near the fireplace.*

VIOLA. I must really say good-night and let you get some sleep.

CLAY. Not before Jack gets home. Our mothers have considerately left us alone together. They'll just as considerately tell us when it's time to part.

VIOLA. *My* mother said it was time half an hour ago.

CLAY. Wait till Jack comes in.

(*Enter* JO.)

JO. Mars Clay?

CLAY. Well, Jo?

JO. Dey's another reporter to see you, sah?

VIOLA. Send him away—Mr.Whipple won't see any more reporters.

CLAY. (*Rises.*) Wait a minute—who is he? (JO *hands card.*) I've got to see this one, Viola.

VIOLA (*complaining*). Why "got to"?

CLAY. He's a friend—I'll see him, Jo.

JO. Yas, sah—(*Exit.*)

VIOLA. (*Rises.*) You've said that all day—they're all friends.

CLAY. Well, they are—but this boy especially.

It was fine to see you and mother and Jack when I was in that jail—great—but you were there daytimes. This boy spent hours on the other side of the bars helping me pass the awful nights. I tell you —death-cells would be pretty nearly hell if it wasn't for the police reporters—ministers ain't in it with 'em.

(*Enter* EMMETT, *a reporter.*)

EMMETT. Good-evening.

CLAY. How are you, Ned? You know Miss Campbell?

EMMETT (*bowing*). Yes.

VIOLA. Good-evening.

CLAY. Have a chair.

EMMETT. Thank you. (*Defers to* VIOLA *who sits first on sofa. Pause.*) This is different. (*Looks around the room.*)

CLAY. Some.

EMMETT. Satisfied? The way we handled the story?

CLAY. Perfectly. You were just bully, old man.

EMMETT. (*To* VIOLA.) That artist of ours is only a kid—and they work him to death on the "Sunday"—so—(*Pause. To* CLAY.) You understand.

CLAY. Oh—I got used to the—pictures a year ago.

EMMETT. Certainly. (*Pause.*) Anything you want to say?

VIOLA. For the paper?

EMMETT. Yes.

CLAY. I think not.

(*Enter* HELEN *and* ALICE *from dining-room.* EMMETT *rises.*)

HELEN. Clay, dear—(*Pause.*) Oh——

CLAY. You met my mother?

EMMETT. No——

CLAY. Mother—this is Mr. Emmett of whom I've told you so often.

HELEN. Oh—the good reporter.

EMMETT. (*To* CLAY.) Gee! That'd be a wonder if the gang heard it. (*Taking* HELEN'S *hand as she offers it.*) We got pretty well acquainted—yes'm.

CLAY (*introducing* ALICE). Mrs. Campbell.

ALICE. Won't you sit down, Mr. Emmett?

EMMETT. Thank you. I guess we've covered everything, but the chief wanted me to see your son —(*turns to* CLAY) and see if you'd do the paper a favor?

CLAY. If possible—gladly——

EMMETT. I don't like the assignment because—well for the very reason that it was handed to me —and that is because we're more or less friendly.

(*Enter* JACK R. C. *in fur coat with cap and goggles in hand.*)

JACK. Well, it's a wonderful night outside.

ALICE. You're back early.

JACK. Purposely. (*To* EMMETT.) How are you?

EMMETT (*rising*). Mr. Brookfield.

JACK. I thought you girls might like a little run in the moonlight before I put in the machine.

HELEN. Mr. Emmett has some message from his editor.

JACK. What is it?

EMMETT. There's a warrant out for Hardmuth —you saw that?

VIOLA. Yes, we saw that. (*Goes to* JACK.)

JACK. To-night's paper——

EMMETT. If they get him and he comes to trial and all that, it'll be the biggest trial Kentucky ever saw.

CLAY. Well?

EMMETT. Well—the paper wants you to agree to report it for them—the trial—there'll be other papers after you, of course.

VIOLA. Oh, no——

EMMETT. Understand, Clay, I'm not asking it. (*To* VIOLA.) I'm here under orders just as I'd be at a fire or a bread riot.

CLAY (*demurring*). And—of course—you understand, don't you?

EMMETT. Perfectly—and I told the chief myself you wouldn't see it.

CLAY. Paper's been too friendly for me to assume any—any——

JACK. Unnecessary dignity——

CLAY. Exactly—but—I just couldn't, you see—

EMMETT (*going*). Oh, leave it to me—I'll let 'em down easy.

CLAY. Thank you.

EMMETT. You expect to be in Europe or——

CLAY. But I don't.

(JACK *removes fur coat, puts it on chair up right center.*)

VIOLA. We're going to stay right here in Louisville——

CLAY. And work out my—my own future among the people who know me.

EMMETT. Of course—Europe's just to stall off the chief—get him on to some other dope——

HELEN (*rising*). But——

JACK (*interrupting*). It's all right.

HELEN. (*To Jack*). I hate to begin with a falsehood.

EMMETT. Not your son—me—Saw some copy on our telegraph desk, Mr. Brookfield, that'd interest you.

JACK. Yes.

EMMETT. Or maybe you know of it? Frankfort——

JACK. No.

EMMETT. Some friend named you in the caucus.

JACK. What connection?

EMMETT. Governor.

VIOLA. (*To* EMMETT.) Uncle Jack?

EMMETT. Yes'm—that is, for the nomination.

JACK. It's a joke.

EMMETT. Grows out of these Hardmuth charges, of course.

JACK. That's all.

EMMETT. Good-night—(*Bows.*) Mrs. Whipple —ladies—(*Exit.*)

CLAY (*going to door with* EMMETT). You'll make that quite clear, won't you?

EMMETT (*outside*). I'll fix it.

CLAY (*returning*). If it wasn't for the notoriety of it, I'd like to do that. (*Sits right of table.*)

HELEN (*reproachfully*). My son!

JACK. Why would you like to do it?

CLAY. To get even. I'd like to see Hardmuth suffer as he made me suffer. I'd like to watch him suffer and write of it.

JACK. That's a bad spirit to face the world with, my boy.

CLAY. I hate him. (*Goes to* VIOLA.)

JACK. Hatred is heavier freight for the shipper than it is for the consignee.

CLAY. I can't help it.

JACK. Yes, you can help it. Mr. Hardmuth should be of the utmost indifference to you. To hate him is weak.

VIOLA. Weak?

JACK. Yes, weak-minded. Hardmuth was in love with you at one time—he hated Clay. He said Clay was as weak as dishwater—(*to* CLAY)—and you were at that time. You've had your lesson—profit by it. Its meaning was self-control. Begin now if you're going to be the custodian of this girl's happiness.

HELEN. I'm sure he means to, Jack.

JACK. You can carry your hatred of Hardmuth and let it embitter your whole life—or you can drop it—so—(*Drops a book on table.*) The power that any man or anything has to annoy us we give him or it by our interest. Some idiot told your great-grandmother that a jewel with different colored strata in it was "bad luck"—or a "hoodoo"—she believed it, and she nursed her faith that passed the lunacy on to your grandmother.

HELEN. Jack, don't talk of that, please.

JACK. I'll skip one generation—but I'd like to talk of it.

ALICE (*rising, comes to* HELEN). Why talk of it?

JACK. It was only a notion, and an effort of will can banish it.

CLAY. It was more than a notion.

JACK. Tom Denning's scarf-pin which he dropped there (*indicates floor*) was an exhibit in your trial—Judge Bayley returned it to me to-day. (*Puts hand in pocket.*)

VIOLA. I wish you wouldn't, Uncle Jack. (*Turns away.*)

JACK. (*To* CLAY.) You don't mind, do you?

CLAY. I'd rather not look at it—to-night.

JACK. You needn't look at it. I'll hold it in my hand and you put your hands over mine.

ALICE. I really don't see the use in this experiment, Jack.

JACK (*with* CLAY'S *hand over his*). That doesn't annoy you, does it?

CLAY. I'm controlling myself, sir—but I feel the influence of the thing all through and through me.

HELEN. Jack!

(VIOLA *turns away in protest.*)

JACK. Down your back, isn't it, and in the roots of your hair—tingling——?

CLAY. Yes.

HELEN. Why torture him?

JACK. Is it torture?

CLAY (*with brave self-control*). I shall be glad when it's over.

JACK (*severely*). What rot! That's only my night-key—look at it. I haven't the scarf-pin about me.

CLAY. Why make me think it was the scarf-pin?

JACK. To prove to you that it's only thinking—that's all. Now, be a man—the cat's-eye itself is in that table drawer. Get it and show Viola that you're not a neuropathic idiot. You're a child of *the everlasting God* and nothing on the earth or under it can harm you in the slightest degree. (CLAY *opens drawer and takes pin.*) That's the spirit—look at it—(*pushes* CLAY'S *hand up to his face*) I've made many a young horse do that to an umbrella. Now, give it to me. (*To* VIOLA.) You're not afraid of it.

VIOLA. Why, of course I'm not.

JACK (*putting pin on her breast*). Now, if you want my niece, go up to that hoodoo like a man. (CLAY *embraces* VIOLA.)

HELEN. Oh, Jack, do you think that will last?

JACK. Which—indifference to the hoodoo or partiality to my niece?

CLAY. They'll both last.

JACK. Now, my boy, drop your hatred of Hardmuth as you drop your fear of the scarf-pin. Don't look back—your life's ahead of you. Don't mount for the race over-weight.

(*Enter* JO, R. C.)

JO. Mr. Ellinger.

(*Enter* LEW.)

LEW. I don't intrude, do I?

JACK. Come in.

LEW. (*To* LADIES.) Good-evening. Ah, Clay. (*Shakes hands with* CLAY.) Glad to see you looking so well. Glad to see you in such good company. (*To* JACK, *briskly.*) I've got him.

JACK. Got whom?

LEW. Hardmuth. (*To* LADIES.) Detectives been hunting him all day, you know.

HELEN. He's caught, you say?

LEW. No—but I've treed him—(*to* JACK)—and I thought I'd just have a word with you before passing the tip. (*To* LADIES.) He's nearly put me in the poorhouse with his raids and closing laws, and I see a chance to get even.

JACK. In what way?

LEW. They've been after him nearly twenty-four hours—morning paper's going to offer a reward for him, and I understand the State will also. If I had a little help I'd hide him for a day or two and then surrender him for those rewards.

JACK. Where is Hardmuth? (*Sits at table.*)

LEW. Hiding.

JACK (*writing a note*). Naturally.

LEW. You remember Big George?

JACK. The darkey?

LEW. Yes—used to be on the door at Phil Kelly's?

JACK. Yes.

LEW. He's there. In Big George's cottage—long story—Big George's wife—that is, she—well, his wife—used to be pantry maid for Hardmuth's mother. When they raided Kelly's game, Big George pretended to turn State's evidence, but he really hates Hardmuth like a rattler—so it all comes back to me. You see, if I'd win a couple of hundred at Kelly's I used to slip George a ten going out. Your luck always stays by you if you divide a little with a nigger or a humpback—and in Louisville it's easier to find a nigger—so——

JACK. He's there now?

LEW. Yes. He wants to get away. He's got two guns and he'll shoot before he gives up—so I'd have to con him some way. George's wife is to open the door to Kelly's old signal, you remember —(*raps*)—one knock, then two, and then one.

JACK. Where is the cottage?

LEW. Number 7 Jackson Street—little dooryard —border of arbor-vitæ on the path.

JACK. One knock—then two—and then one—(*Rises with note written.*)

LEW. What you gonta do?

JACK. Send for him.

LEW. Who you gonta send?

JACK. That boy there.

CLAY. Me?

JACK. Yes.

HELEN. Oh, no—no.

JACK. And my niece.

VIOLA. What! To arrest a man?

JACK. (*To* CLAY.) My machine is at the door. Give Hardmuth this note. He'll come with you quietly. Bring him here. We'll decide what to do with him after that.

ALICE. I can't allow Viola on such an errand.

JACK. When the man she's promised to marry is going into danger——

VIOLA. If Mr. Hardmuth will come for that note—why can't I deliver it?

JACK. You may—if Clay'll let you.

CLAY (*quietly taking note as* JACK *offers it to* VIOLA). I'll hand it to him.

JACK. I hope so. (*Gives goggles and coat.*) Take these—remember—one rap, then two, then one.

CLAY. I understand—number seven——?

LEW. Jackson Street.

ALICE. I protest.

HELEN. So do I.

JACK. (*To* CLAY *and* VIOLA.) You're both of age. I ask you to do it. If you give Hardmuth the goggles, nobody'll recognize him and with a lady beside him you'll get him safely here.

CLAY. Come. (*Exit with* VIOLA.)

LEW (*following to door*). I ought to be in the party.

JACK. No—you stay here.

ALICE. That's scandalous.

JACK. But none of us will start the scandal, will we?

HELEN. Clay knows nothing of that kind of work—a man with two guns—think of it.

JACK. After he's walked barehanded up to a couple of guns a few times, he'll quit fearing men that are armed only with a scarf-pin.

HELEN (*hysterically*). It's cruel to keep constantly referring to that—that—mistake of Clay's—I want to forget it.

JACK (*going to* HELEN. *Tenderly*). The way to forget it, my dear Helen, is not to guard it as a sensitive spot in your memory, but to grasp it as the wise ones grasp a nettle—crush all its power to harm you in one courageous contact. We think things are calamities and trials and sorrows—only names. They are spiritual gymnastics and have an eternal value when once you front them and make them crouch at your feet. Say once for all to your soul and thereby to the world—"Yes, my boy killed a man—because I'd brought him up a half-effeminate, hysterical weakling, but he's been through the fire and I've been through the fire, and we're both the better for it."

HELEN. I can say that truthfully, but I don't want to make a policeman of him, just the same. (*Exit to dining-room.*)

ALICE (*following*). Your treatment's a little too heroic, Jack. (*Exit.*)

LEW. Think they'll fetch him?

JACK. (*Sits left of table.*) Yes.

LEW. He'll come, of course, if he does, under the idea that you'll help him when he gets here.

JACK. Yes.

LEW. Pretty hard double-cross, but he deserves it. I've got a note of fifteen thousand to meet to-morrow, or, damn it, I don't think I'd fancy this man-huntin'. I put up some Louisville-Nashville bonds for security, and the holder of the note'll be only too anxious to pinch 'em.

JACK. You can't get your rewards in time for that.

LEW. I know—and that's one reason I come to you, Jack. If you see I'm in a fair way to get a reward——

JACK. I'll lend you the money, Lew.

LEW. Thank you. (JACK *takes check-book and writes.*) I thought you would. If I lose those bonds they'll have me selling programs for a livin' at a grand stand. You see, I thought hatin' Hardmuth as you do, and your reputation bein' up through that stuff to the papers——

JACK. There. (*Gives check.*)

LEW. Thank you, old man. I'll hand this back to you in a week.

JACK. (*Rises.*) You needn't.

LEW. What?

JACK. You needn't hand it back. It's only fifteen thousand and you've lost a hundred of them at poker in these rooms.

LEW. Never belly-ached, did I?

JACK. Never—but you don't owe me that fifteen.

LEW. Rot! I'm no baby—square game, wasn't it?

JACK. Perfectly.

LEW. And I'll sit in a square game any time I get a chance.

JACK. I know, Lew, all about that.

LEW. I'll play you for this fifteen right now (*Displays check.*)

JACK. No. (*Walks aside.*)

LEW. Ain't had a game in three weeks—and, besides, I think my luck's changin'? When Big George told me about Hardmuth I took George's hand before I thought what I was doin'—and you know what shakin' hands with a nigger does just before any play.

JACK (*resisting* LEW's *plea.*) No, thank you, Lew.

LEW. My money's good as anybody else's, ain't it?

JACK. Just as good, but——

LEW. It ain't a phoney check, is it? (*Examines check.*)

JACK. The check's all right.

LEW (*taunting*). Losing your nerves?

JACK. No (*pause*)—suppose you shuffle those and deal a hand. (*Indicates small table, right.*)

LEW. That's like old times; what is it—stud-horse or draw? (*Sits at table.*)

JACK. (*Goes to fireplace.*) Draw if you say so.

LEW. I cut 'em?

JACK. You cut them.

LEW (*dealing two poker hands*). Table stakes—check goes for a thousand.

JACK. That suits me.

LEW (*taking his own cards*). Sit down.

JACK (*at other side of room looking into fire*). I don't need to sit down just yet.

LEW. As easy as that, am I?

JACK. Lew!

LEW. Yes?

JACK. (*Pause.*) Do you happen to have three queens?

(LEW *looks at* JACK, *then carefully at back of his own cards, then at the deck.*)

LEW. Well, I can't see it.

JACK. No use looking—they're not marked.

LEW. Well, I shuffled'm all right.

JACK. Yes.

LEW. And cut'm? (JACK *nods*) Couldn't 'a' been a cold deck?

JACK. No.

LEW. Then, how did you know I had three queens?

JACK. I didn't know it. I just thought you had.

LEW. Can you do it again?

JACK. I don't know. Draw one card.

LEW (*drawing one card from deck*). All right.

JACK. (*Pause.*) Is it the ace of hearts?

LEW. It is.

JACK. Mm—turns me into a rotter, doesn't it? (*Comes gloomily to the big table.*)

LEW. Can you do that every time?

JACK. I never tried it until to-night—that is, consciously. I've always had luck and I thought it was because I took chances on a game—same as any player—but that don't look like it, does it?

LEW. Beats me.

JACK. And what a monster it makes of me—these years I've been in the business.

LEW. You say you didn't know before?

JACK. I didn't know it—no—but—some things have happened lately that have made me think it might be so; that jury yesterday—some facts I've had from Justice Prentice. Telepathy of a very common kind—and I guess it's used in a good many games, old man, we aren't on to.

LEW. Well—have you told anybody?

JACK. No.

LEW (*excitedly*). Good! (*Rises and comes to* JACK.) Now, see here, Jack, if you can do that right along I know a game in Cincinnati where it'd be like takin' candy from children.

JACK. Good God! you're not suggesting that I keep it up?

LEW. Don't over-do it—no—(*Pause.*) Or you show me the trick and *I'll* collect all right.

JACK (*slowly*). Lew—(*Pause.*) Some of the fellows I've won from in this house have gone over to the park and blown their heads off.

LEW. Some of the fellows anybody wins from in any house go somewhere and blow their heads off.

JACK. True—(*Pause.*)

LEW. Three queens—before the draw—well, you could 'a' had me all right—and you won't tell me how you do it?

JACK. I don't know how I do it; the thought just comes to my mind stronger than any other thought.

LEW (*reprovingly*). God A'mighty gives you a mind like that and you won't go with me to Cincinnati. (*Goes to card table; studies cards.*)

(*Enter* Jo.)

Jo. Justice Prentice, sah.

JACK. Ask him to step up here.

Jo. Yes, sah. (*Exit.*)

JACK. (*Goes to door, left.*) Alice—Helen—Justice Prentice has called; I'd like you to join us.

LEW. Can the old man call a hand like that, too?

JACK. I'm sure he could.

LEW. And—are there others?

JACK. I believe there are a good many others who unconsciously have the same ability.

LEW. Well, it's a God's blessin' there's a sucker born every minute. I'm a widow and an orphan 'longside o' that. (*Throws cards in disgust onto table.*)

(*Enter* ALICE *and* HELEN.)

ALICE. Been losing, Mr. Ellinger?

LEW. Losing? I just saved fifteen thousand I was gonta throw 'way like sand in a rathole. I'm a

babe eatin' spoon victuals and only gettin' half at that.

(*Enter* PRENTICE, R. C.)

JACK. Good-evening.

PRENTICE. Good-evening. (*Shakes hands with* ALICE *and* HELEN)

JACK. I stopped at your hotel, Mr. Justice, but you were out.

(*Enter* VIOLA, R. C.)

ALICE (*anxiously*). Viola.

HELEN. Where's Clay?

VIOLA. Downstairs. Good-evening.

PRENTICE. Good-evening.

JACK. (*To others.*) Pardon. (*To* VIOLA.) Did the—gentleman come with you?

VIOLA. Yes.

(LEW *flutters and shows excitement.*)

JACK. Won't you ask Clay, my dear, to take him through the lower hall and into the dining-room until I'm at liberty?

VIOLA. Certainly. (*Exit*)

PRENTICE. I am keeping you from other appointments?

JACK. Nothing that can't wait.

PRENTICE. I am leaving for Washington in the morning.

JACK. We'll all be at the train to see you off.

PRENTICE. That's good, because I should like to say good-bye to—to the young people—I can see them there—I shan't see you then, Mr. Ellinger—(*Goes to* LEW, *who stands at card table.*)

LEW. Good-bye, Judge—you—you've given me more of a "turn over" than you know.

PRENTICE. Really?

LEW. I'd 'a' saved two hundred thousand dollars if I'd 'a' met you thirty years ago.

PRENTICE. Well, that's only about six thousand a year, isn't it?

LEW. That's so—and, damn it, I have lived. (*Smiles—looks dreamily into the past.*)

PRENTICE. Good-night. (*Exit* PRENTICE.)

JACK. Good-night—good-night.

ALICE. Is that Hardmuth in there? (*Points to dining-room.*)

JACK. Yes.

ALICE. I don't want to see him.

JACK. Very well, dear, I'll excuse you.

ALICE. (*going*). Come, Helen.

JACK (*at door, left*). Come in. (*To* HELEN, *who is going with* ALICE.) Helen! I'd like *you* to stay.

HELEN. Me?

JACK. Yes.

(*Exit* ALICE L. C. *Enter* CLAY, HARDMUTH, *and* VIOLA *from dining-room.* VIOLA *lays automobile coat on sofa.* HARDMUTH *bows to* HELEN. HELEN *bows.*)

JACK. Your mother has just left us, Viola. You'd better join her.

VIOLA. Very well.

JACK (*taking her hand as she passes him*). And I want you to know—I appreciate very much, my dear, your going on this errand for me—you're the right stuff. (*Kisses her. Exit* VIOLA, L. C. *To* HARDMUTH.) You're trying to get away?

HARDMUTH. This your note?

JACK. Yes.

HARDMUTH. You say you'll help me out of the State?

JACK. I will.

HARDMUTH. When?

JACK. Whenever you're ready.

HARDMUTH. I'm ready now.

JACK. Then I'll help you now.

LEW. Now?

JACK. Yes.

HELEN. Doesn't that render you liable in some way, Jack, to the law?

JACK. Yes—but I've been liable to the law in some way for the last twenty years. (*To* CLAY.) You go down and tell the chauffeur to leave the machine and walk home. I'm going to run it myself and I'll turn it in.

CLAY. Yes, sir. (*Exit* R. C.)

HARDMUTH. You're going to run it yourself?

JACK. Yes.

HARDMUTH. Where to?

JACK. Across the river, if that's agreeable to you —or any place you name.

HARDMUTH. Is anybody—*waiting* for you—across the river?

JACK. No.

HARDMUTH (*again with note*). This is all on the level?

JACK. Completely.

LEW. Why, I think you mean that.

JACK. I do.

LEW (*aggressively*). But I've got something to say, haven't I?

JACK. I hope not.

LEW (*quitting*). If you're in earnest, of course. But I don't see your game.

JACK. I'm not fully convinced of Mr. Hardmuth's guilt.

LEW. Why, he's running away?

(*Enter* CLAY.)

HARDMUTH. I know what a case they'd make against me, but I'm not guilty in any degree.

JACK. I want to do this thing for you, Frank—don't make it too difficult by any lying. When I said I wasn't fully convinced of your guilt, my reservation was one you wouldn't understand. (*To* CLAY.) He gone?

CLAY. Yes.

JACK. My coat and goggles?

CLAY. Below in the reception-room.

JACK. Thank you. I wish now you'd go to Viola and her mother and keep them wherever they are.

CLAY. All right. (*Exit.*)

JACK. (*To* HARDMUTH.) Hungry? (*Touches push button.*)

HARDMUTH. No, thank you.

JACK. Got money?

HARDMUTH. Yes.

(*Enter* JO, R. C.)

JACK. Jo, take Mr. Hardmuth below and lend him one of the fur coats. (*To* HARDMUTH.) I'll join you immediately.

(*Exit* HARDMUTH *with* JO.)

HELEN. What does it all mean, Jack?

JACK. Lew, I called that ace of hearts, didn't I?

LEW. And the three queens.

JACK. Because the three queens and the ace were in your mind.

LEW. I don't see any other explanation.

JACK. Suppose, instead of the cards there'd been in your mind a well-developed plan of assassination—the picture of a murder——

LEW. Did you drop to him that way?

JACK. No. Raynor told me all I know of Hardmuth—but here's the very *hell* of it. Long before Scovill was killed I thought he deserved kill-

ing and I thought it *could* be done just—as—it—was done.

HELEN. Jack!

JACK. I never breathed a word of it to a living soul, but Hardmuth planned it exactly as I dreamed it—and by God, a guilty thought is almost as criminal as a guilty deed. I've always had a considerable influence over that poor devil that's running away to-night, and I'm not sure that before the Judge of both of us the guilt isn't mostly mine.

HELEN. That's morbid, Jack, dear, perfectly morbid.

JACK. I hope it is—we'll none of us ever know—in this life—but we can all of us—(*Pause*)

LEW. What?

JACK. Live as if it were true. (*Change of manner to brisk command*) I'm going to help him over the line—the roads are watched, but the police won't suspect me and they won't suspect Lew—and all the less if there's a lady with us—(*To* LEW) Will you go?

LEW. The limit.

JACK. Get a heavy coat from Jo.

LEW. Yes. (*Exit*)

JACK. (*Alone with* HELEN) You know you said I used to be able to make you write to me when I was a boy at college?

HELEN. Yes.

JACK. And you were a thousand miles away—while this fellow—Hardmuth—was just at my elbow half the time.

HELEN. It can't help you to brood over it.

JACK. It can help me to know it, and make what amend I can. Will you go with me while I put this poor devil over the line?

HELEN. (*Taking* VIOLA'S *fur coat*) Yes, I'll go with you.

JACK. Helen, you stood by your boy in a fight for his life.

HELEN. Didn't you?

JACK. Will you stand by *me* while I make my fight?

HELEN (*giving her hand*). You've made your fight, Jack, and you've *won*.

(JACK *kisses her hand, which he reverently holds in both of his.*)

CURTAIN.

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